BOARD OF SUPERVISORS

ORDER OF BUSINESS - Tuesday, June 16, 2026 4PM

40 McMaster Street, Ballston Spa, NY

1. WELCOME
2. ROLL CALL
3. ATTENTION TO FLAG
4. INVOCATION
5. APPROVAL OF MINUTES: May 19, 2026
6. CORRESPONDENCE
7. REPORTS OF COMMITTEES
8. RESOLUTIONS (155 - 180)
9. REQUEST FOR SEPARATE VOTES
10. ADOPTION OF RESOLUTIONS
11. UNFINISHED BUSINESS AND NEW PROPOSALS
12. EXECUTIVE SESSION: As needed.
13. OTHER BUSINESS
14. PUBLIC INPUT
15. ADJOURN

BOARD OF SUPERVISORS

REGULAR BOARD MEETING RESOLUTIONS PRESENTED Tuesday, June 16, 2026

155. AUTHORIZING AN AGREEMENT WITH CAPITAL DISTRICT YOUTH CENTER, INC. AND THE COUNTIES OF ALBANY, RENSSELAER, AND SCHENECTADY FOR THE USE AND OPERATION OF A REGIONAL JUVENILE SECURE DETENTION FACILITY

156. ACCEPTING A 2026 CRIMES AGAINST REVENUE PROGRAM GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

157. AUTHORIZING AN AGREEMENT WITH SPEAK SOBRIETY LLC FOR SUBSTANCE ABUSE PREVENTION PROGRAMMING AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

158. CANCELING CERTAIN TAXES IN THE TOWN OF HALFMOON

159. CANCELING CERTAIN TAXES IN THE TOWNS OF MALTA AND MOREAU

160. CANCELING INTEREST AND FEES ON CERTAIN TAX PARCELS IN THE TOWN OF CLIFTON PARK

161. AMENDING THE 2026 COMPENSATION SCHEDULE TO CREATE AN ASSISTANT ATTORNEY POSITION UNDER THE DISTRICT ATTORNEY'S OFFICE

162. RENEWING AN AGREEMENT WITH 2144 DOUBLEDAY AVENUE, LLC FOR LEASE OF SPACE FOR THE VETERANS SERVICE AGENCY

163. AUTHORIZING AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR LEASE OF SPACE AT COUNTY BUILDING #5 AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

164. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR COURTROOM UPGRADES AT THE COUNTY COURTHOUSE AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

165. 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, VIALL AVENUE OVER ANTHONY KILL BRIDGE REPLACEMENT PROJECT IN THE CITY OF MECHANICVILLE, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

166. AUTHORIZING AN AGREEMENT WITH CPL ARCHITECTS, ENGINEERS AND LANDSCAPE ARCHITECT, D.P.C. FOR PROFESSIONAL SERVICES RELATED TO THE VIALL AVENUE OVER ANTHONY KILL BRIDGE REPLACEMENT PROJECT IN THE CITY OF MECHANICVILLE

167. 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, TABOR ROAD OVER DWAAS KILL BRIDGE REPLACEMENT PROJECT IN THE TOWN OF HALFMOON, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

168. AMENDING AN AGREEMENT WITH CPL ARCHITECTS, ENGINEERS AND LANDSCAPE ARCHITECT, D.P.C. FOR PROFESSIONAL SERVICES RELATED TO THE TABOR ROAD OVER DWAAS KILL BRIDGE REPLACEMENT PROJECT IN THE TOWN OF HALFMOON

169. 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, CR-51 (CHARLTON ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CHARLTON, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

170. AUTHORIZING AN AGREEMENT WITH CREIGHTON MANNING ENGINEERING & SURVEYING, PLLC FOR PROFESSIONAL SERVICES RELATED TO THE CR-51 (CHARLTON ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CHARLTON

171. 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, CR-92 (CRESCENT ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CLIFTON PARK, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

172. AUTHORIZING AN AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR PROFESSIONAL SERVICES RELATED TO THE CR-92 (CRESCENT ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CLIFTON PARK

173. ACCEPTING A STATE AND MUNICIPALITIES GRANT FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

174. ESTABLISHING OR REVISING THE STANDARD WORKDAY AND REPORTING DAYS FOR THE NEW YORK STATE AND LOCAL RETIREMENT SYSTEM FOR CERTAIN COUNTY OFFICIALS

175. AUTHORIZING AN AGREEMENT WITH CERIDA INVESTMENT CORP. DBA ANSWERNET FOR AFTER-HOURS TELEPHONE ANSWERING SERVICES AT THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

176. AMENDING AN AGREEMENT WITH ENVIRONMENTAL DESIGN & RESEARCH, LANDSCAPE ARCHITECTURE, ENGINEERING & ENVIRONMENTAL SERVICES, D.P.C. FOR PROFESSIONAL SERVICES RELATED TO THE SOUTH BROADWAY SEWER EXTENSION PROJECT

177. AUTHORIZING CHANGE ORDER NO. 13 WITH JERSEN CONSTRUCTION GROUP, LLC FOR CONSTRUCTION SERVICES RELATED TO THE SARATOGA COUNTY SEWER DISTRICT NO. 1 SECONDARY CLARIFIER UPGRADE PROJECT AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

178. AUTHORIZING AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. FOR PROFESSIONAL SERVICES RELATED TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S FINANCIAL MODEL

179. DECLARING THE BOARD OF SUPERVISORS TO SERVE AS LEAD AGENCY AND AUTHORIZING THE ISSUANCE OF A NEGATIVE DECLARATION IN THE SEQRA ENVIRONMENTAL REVIEW OF THE PROPOSED SOUTH BROADWAY SEWER EXTENSION IN THE CITY OF SARATOGA SPRINGS

180. ADOPTING A LOCAL LAW, IDENTIFIED AS INTRODUCTORY NO. 4, PRINT NO. 1 OF 2026, ENTITLED "A LOCAL LAW ADOPTING NEW SEWER USE RULES AND REGULATIONS FOR SARATOGA COUNTY SEWER DISTRICT NO. 1, WHICH SHALL SUPERSEDE AND REPLACE LOCAL LAW NO. 1 OF 2020"

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 155 – 2026

Introduced by Public Safety: Supervisors Ostrander, Antoski, Burger, Butler, Fish, Peck, and Sanghvi

AUTHORIZING AN AGREEMENT WITH CAPITAL DISTRICT YOUTH CENTER, INC. AND THE COUNTIES OF ALBANY, RENSSELAER, AND SCHENECTADY FOR THE USE AND OPERATION OF A REGIONAL JUVENILE SECURE DETENTION FACILITY

WHEREAS, pursuant to Article 3 of the Family Court Act of the State of New York, it is the County's duty and responsibility to provide secure detention services for juvenile delinquents under court order; and

WHEREAS, the County developed a cost-effective means to provide secure detention to juveniles on a regional basis by joining with the neighboring counties of Albany, Rensselaer, and Schenectady to construct a regional secure detention facility known as the Capital District Juvenile Secure Detention Facility ("Juvenile Detention Facility") in the Town of Colonie, operated by Capital District Youth Center, Inc. ("CDYCI"); and

WHEREAS, pursuant to Local Law No. 3 – 1996 and Resolution 141 – 1996, as amended by Resolutions 31 – 2017, 187 – 2018, and 207 – 2019, the County entered into a lease agreement with CDYCI for the reservation of one (1) bed exclusively for the secure detention of Saratoga County juvenile delinquents and juvenile offenders, and one (1) exclusively for the secure detention of Saratoga County adolescent offenders, at the Juvenile Detention Facility; and

WHEREAS, Resolution 141 – 1996, as amended by Resolution 187 – 2018, further authorized the County to enter into an agreement with CDYCI detailing the responsibilities of the County and CDYCI relative to the use and operation of the Juvenile Detention Facility, which agreement has been annually renewed by the parties; and

WHEREAS, as a result of Raise the Age legislation enacted by the New York State Legislature and the Governor in 2017, the age of criminal responsibility for youths who commit crimes as defined in the Penal Law was increased to 16 years of age effective October 1, 2018 and 17 years of age effective October 1, 2019; and

WHEREAS, Raise the Age legislation and the regulations established thereunder provide that youths subject to the legislation who require placement in a secure placement facility may not be detained in local jail facilities, but rather must be placed in "specialized secure detention facilities", which are new, highly regulated secure detention facilities governed by new and specific regulations as to their physical layout and the specialized services that must be provided to those youths detained at such facilities; and

WHEREAS, CDYCI developed a plan in consultation with the Dormitory Authority of the State of New York ("DASNY") to finance the construction of the necessary capital improvements to the Juvenile Detention Facility; and

WHEREAS, pursuant to Resolution 66 – 2019, the County entered into a municipal cooperation agreement with the Counties of Albany, Rensselaer, and Schenectady for pre-funding or reimbursement to CDYCI for each County's proportionate share of the non-care costs of all services, materials, and equipment, including, but not limited to, pre-construction services procured by CDYCI for implementation of Raise the Age-required improvements to the Juvenile Detention Facility and related expenditures prior to the issuance of any indebtedness financing through DASNY for such non-care costs; and

WHEREAS, CDYCI has made capital improvements to the Youth Detention Facility to renovate and expand the facility, including adding more beds and hiring additional staff for it to be unconditionally certified as a specialized secure detention facility by the New York State Office of Children and Family Services ("OCFS"); and

WHEREAS, the Detention Facility has undergone a redevelopment and expansion project and now consists of approximately 36,500 square feet and 39 beds (the "Renovated Detention facility"); and

WHEREAS, OCFS has certified the Detention Facility as a secure detention facility and OCFS and the New York State Commission of Correction have certified the Detention Facility as a specialized secure detention facility; and

WHEREAS, the County continues its desire to utilize the Detention Facility for its eligible Juvenile Delinquents ("JDs"), Juvenile Offenders ("JOs"), and Adolescent Offenders ("AOs") as defined in the New York State Criminal Procedure Law (collectively, "Youth"); and

WHEREAS, with the implementation of Raise the Age, OCFS required certain changes to the process for how Counties will fund and be reimbursed for costs related to secure detention and specialized secure detention care for youth; and

WHEREAS, CDYCI and the four (4) Counties desire to implement such billing and claiming modifications required by OCFS and to consolidate and simplify the contractual relationships between and among CDYCI and the Counties for the use and operation of the Detention Facility on a joint and regional basis within the spirit of the Cooperative Agreement and entered into the Agreement For The Use and Operation of A Regional Juvenile Detention Facility; and

WHEREAS, CDYCI has proposed that the four (4) Counties and CDYCI amend and restate the Agreement For The Use and Operation Of A Regional Juvenile Detention Facility to (i) reflect the completion of the Detention Facility's expansion and greater bed capacity as the result of Raise the Age and (ii) memorialize the reimbursable resources provided to CDYCI by the Capital District Regional Planning Commission ("CDRCP"), to commence on January 1, 2026; and

WHEREAS, our Public Safety Committee, Commissioner of Social Services, and Director of Probation have recommended that the County enter into a comprehensive agreement with CDYCI and the Counties of Albany, Rensselaer, and Schenectady for the use and operation of the Capital District Juvenile Secure Detention Facility, with such agreement to be effective January 1, 2026; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with Capital District Youth Center, Inc. and the Counties of Albany, Rensselaer, and Schenectady for the use and operation of the Capital District Juvenile Secure Detention Facility, to commence on January 1, 2026;

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 156 – 2026

Introduced by Public Safety: Supervisors Ostrander, Antoski, Burger, Butler, Fish, Peck, and Sanghvi

ACCEPTING A 2026 CRIMES AGAINST REVENUE PROGRAM GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to a Grant Award Notice dated February 12, 2026, the New York State Division of Criminal Justice Services has notified our District Attorney's Office that a Crimes Against Revenue Program Grant, in the amount of $119,849, is available for the grant period commencing January 1, 2026 and expiring December 31, 2026; and

WHEREAS, the District Attorney's Office has proposed using these grant funds for salary support, training, and travel reimbursement associated with the investigation and prosecution of crimes related to the non-payment of taxes and the commission of Medicaid, Welfare, Unemployment, and Workers' Compensation fraud; and

WHEREAS, our Public Safety Committee and the District Attorney have recommended the approval and acceptance of this 2026 Crimes Against Revenue Program Grant; and

WHEREAS, acceptance of this grant requires the approval of this Board and an associated amendment to the 2026 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors and/or County Administrator are hereby authorized to execute all documents with the New York State Division of Criminal Justice Services necessary to accept a Crimes Against Revenue Program Grant, in the amount of $119,849, for the grant period commencing January 1, 2026 and expiring December 31, 2026; and be it further

RESOLVED, that the Chair of the Board of Supervisors and/or County Administrator are hereby authorized to execute any agreements, amendments, or extensions necessary to extend the term of the existing grant agreement, provided that such extensions do not alter the original scope of work, compensation, or any other material terms and conditions of the grant, and do not require additional County funding, without the need for further authorization by this Board; and be it further

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

RESOLVED, that the 2026 County Budget be amended as follows:

OFFICE OF THE DISTRICT ATTORNEY:

Increase Revenue:		
A.25-3391	CARP Grant	$ 949
Increase Expenses:		
A.25.000-8512.T	Conference & Training Fees – Travel	$ 275
A.25.000-8512.ML	Conference & Training Fees – Meals & Lodging	$ 674

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 157 – 2026

Introduced by Health and Human Services: Supervisors Butler, Brennan, Gyarmathy, Lalukota, Peck, Richardson, and Tollisen

AUTHORIZING AN AGREEMENT WITH SPEAK SOBRIETY LLC FOR SUBSTANCE ABUSE PREVENTION PROGRAMMING AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

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

WHEREAS, the County, alongside several other municipalities, are members of a lawsuit commenced in Suffolk County against manufacturers, distributors, and certain prescribing physicians of opioid pharmaceuticals; and

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

WHEREAS, the Board of Supervisors has identified school-based programs offered by Stephen Hill and Speak Sobriety LLC to be presented to students throughout the County in support of school-based programs aimed at preventing drug misuse; and

WHEREAS, our Health and Human Service Committee has recommended the authorization of opioid funds to support the initiative to provide school-based programs aimed at preventing drug misuse; now, therefore, be it

RESOLVED, that opioid settlement funds received by the County, in an amount not to exceed $90,000, are hereby authorized to be used to support the initiatives to provide school-based programs aimed at preventing drug misuse, including travel-related expenses incurred by Stephen Hill and Speak Sobriety LLC directly associated with these presentations, and that the necessary budget amendments be authorized; and be it further

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with Speak Sobriety LLC to provide school-based programs aimed at preventing drug

misuse, including travel-related expenses directly associated with these presentations, in an amount not to exceed $90,000; and be it further

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

RESOLVED, that the 2026 County Budget be amended as follows:

BOARD OF SUPERVISORS:

Increase Revenue:		
A.10-2727	Opioid Revenue	$ 90,000
Increase Expenses:		
A.10.000-8190	Other Professional Services	$ 90,000

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 158 – 2026

Introduced by Real Property Tax: Supervisors Arnold, Gyarmathy, Wemple, Wright, and Young

CANCELING CERTAIN TAXES IN THE TOWN OF HALFMOON

WHEREAS, Real Property Tax Law §558(1) authorizes a county's legislative body to cancel any unpaid tax levied or imposed by such county where the lien of such tax cannot be enforced; and

WHEREAS, Tax Parcel No. 602.-1-1 in the Town of Halfmoon was established in connection with a proposed sewer system associated with the Fairways of Halfmoon subdivision, and the sewer system serving the subdivision was subsequently conveyed to Saratoga County Sewer District No. 1; and

WHEREAS, following consultation with the Town of Halfmoon Assessor, the Director of Saratoga County Real Property Tax Services has recommended cancellation of the unpaid taxes levied against Tax Parcel No. 602.-1-1 and the removal of said parcel from any applicable *in rem* tax foreclosure proceedings; now, therefore, be it

RESOLVED, that all unpaid taxes, interest, and penalties levied on the following parcel are hereby cancelled as indicated:

Town	Parcel #	Year	Amount
Halfmoon	602.-1-1	2023 - 2026	$10,122.51

; and be it further

RESOLVED, that the Tax Enforcement Officer is hereby authorized and directed to take all actions necessary to effectuate such cancellation and to remove the parcel from any applicable *in rem* tax foreclosure proceedings, including the issuance and filing of any certificates required pursuant to Real Property Tax Law §§558 and 1138; and be it further

RESOLVED, that the Tax Enforcement Officer shall cause any amounts previously credited by the County with respect to such taxes to be charged back to the town so credited in accordance with applicable law; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 159 – 2026

Introduced by Real Property Tax: Supervisors Arnold, Gyarmathy, Wemple, Wright, and Young

CANCELING CERTAIN TAXES IN THE TOWNS OF MALTA AND MOREAU

WHEREAS, Real Property Tax Law §1138(6) authorizes a county's legislative body to cancel any unpaid tax levied or imposed by such county where it determines that there is no practical method to enforce collection of the delinquent tax lien and that a supplementary proceeding to enforce collection would not be effective; and

WHEREAS, the Director of the Real Property Tax Service Agency and the Tax Enforcement Officer have determined that there is no practical method to enforce collection of the delinquent taxes identified below and that a supplementary proceeding to enforce collection of such taxes would not be effective, and have recommended that such delinquent taxes be cancelled; now, therefore, be it

RESOLVED, that all unpaid taxes, interest, and penalties levied on the following parcels are hereby cancelled pursuant to Real Property Tax Law §1138(6):

Town	Parcel #	Year	Amount
Malta	240.-2-63.-5	2022	$321.94
Moreau	63.-4-2.-137	2022	$308.44

; and be it further

RESOLVED, that the Tax Enforcement Officer is hereby authorized and directed to take all actions necessary to effectuate such cancellation and remove the parcels from any applicable in rem tax foreclosure proceedings, including the issuance and filing of any certificates required pursuant to Real Property Tax Law §1138; and be it further

RESOLVED, that the Tax Enforcement Officer shall cause any amounts previously credited by the County with respect to such taxes to be charged back to the towns so credited in accordance with applicable law; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 160 – 2026

Introduced by Real Property Tax: Supervisors Arnold, Gyarmathy, Wemple, Wright, and Young

CANCELING INTEREST AND FEES ON CERTAIN TAX PARCELS IN THE TOWN OF CLIFTON PARK

WHEREAS, Real Property Tax Law §1182 authorizes the governing body of a tax district, where it determines that it is in the best interests of the tax district to do so, to cancel in whole or in part the interest, penalties, and other charges imposed by law to which the tax district is lawfully entitled; and

WHEREAS, delinquent taxes remain outstanding on Tax Parcel Nos. 288.-2-27 and 288.-2-28 in the Town of Clifton Park; and

WHEREAS, the Town of Clifton Park has advised that it intends to acquire said parcels and satisfy the outstanding delinquent taxes and pay prospective taxes thereon; and

WHEREAS, the Director of the Real Property Tax Services Agency and the Tax Enforcement Officer have recommended that it is in the best interests of the tax district for the County to authorize the cancellation of certain County interest and charges accrued on such delinquent taxes in order to facilitate payment by the Town of Clifton Park of the outstanding tax principal; now, therefore, be it

RESOLVED, that the Board of Supervisors has determined that facilitating the payment of the outstanding delinquent taxes and the acquisition of the parcels by the Town of Clifton Park, a municipal corporation within Saratoga County, is in the best interests of the County; and be it further

RESOLVED, that, upon receipt by the Tax Enforcement Officer of satisfactory evidence that the Town of Clifton Park has acquired Tax Parcel Nos. 288.-2-27 and 288.-2-28 pursuant to a duly adopted Town Board resolution and will satisfy the outstanding delinquent taxes thereon, the Tax Enforcement Officer is authorized to cancel the following County interest and charges pursuant to Real Property Tax Law §1182:

Town	Parcel #	Interest	Fees
Clifton Park	288.-2-27	$1,465.47	$210.00
Clifton Park	288.-2-28	$283.15	$210.00

; and be it further

RESOLVED, that nothing herein shall authorize the cancellation of any taxes, fees, charges, penalties, or assessments that the County is not authorized by law to remit; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 161 – 2026

Introduced by Human Resources and Insurance: Supervisors Tollisen, Anderson, Ball, Butler, Richardson, Wemple, and Wright

AMENDING THE 2026 COMPENSATION SCHEDULE TO CREATE AN ASSISTANT ATTORNEY POSITION UNDER THE DISTRICT ATTORNEY'S OFFICE

WHEREAS, 22 NYCRR Part 524 allows eligible graduates of ABA-approved law schools to temporarily practice law under the supervision of an attorney currently admitted to practice in the State of New York; and

WHEREAS, due to the vacancy of a fully funded Assistant District Attorney position, the District Attorney's Office has identified the need for a temporary full-time position assisting assigned attorneys in all areas of legal practice including, but not limited to, case research, analysis, and general administrative support; and

WHEREAS, the District Attorney's Office is requesting an amendment to the 2026 Saratoga County Compensation Schedule to create a temporary full-time Assistant Attorney position; and

WHEREAS, our Human Resources and Insurance Committee, the Director of Human Resources, and the District Attorney have recommended that the 2026 Saratoga County Compensation Schedule be amended under the District Attorney's Office to create one (1) temporary full-time Assistant Attorney position; now, therefore, be it

RESOLVED, that the 2026 Saratoga County Compensation Schedule be amended under the District Attorney's Office to create one (1) temporary full-time Assistant Attorney position; and be it further

RESOLVED, that the temporary full-time Assistant Attorney position be classified as a Grade 12 on the Management Compensation Schedule, at an annual salary of $70,750; and be it further

RESOLVED, that the County Administrator, Director of Human Resources, and District Attorney are hereby authorized to take all necessary and appropriate steps to implement this Resolution; 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.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 162 – 2026

Introduced by Buildings & Grounds: Supervisors Ball, Anderson, Arnold, Grasso, Sturm, Tollisen, and Young

RENEWING AN AGREEMENT WITH 2144 DOUBLEDAY AVENUE, LLC FOR LEASE OF SPACE FOR THE VETERANS SERVICE AGENCY

WHEREAS, pursuant to Resolution 205 – 2023, the County entered into a lease renewal agreement with 2144 Doubleday Avenue, LLC for the lease of approximately 1,980 square feet of office space for the Saratoga County Veterans Service Agency at 2144 Doubleday Avenue, Ballston Spa, New York 12020 for a three-year term commencing August 8, 2023 and expiring August 7, 2026; and

WHEREAS, the County's lease with 2144 Doubleday Avenue, LLC for the lease of office space for the Saratoga County Veterans Service Agency at 2144 Doubleday Avenue, Ballston Spa, New York 12020 is set to expire on August 7, 2026; and

WHEREAS, 2144 Doubleday Avenue, LLC has proposed renewing the lease upon substantially the same terms and conditions as contained in the current lease, except as to the lease term and the rent, which will be for an additional term of three (3) years, commencing August 8, 2026, at a rent of $2,323.94 per month, subject to annual rent increases of two percent (2%) of the prior year's rent for the second and third years; and

WHEREAS, our Buildings and Grounds Committee, the Commissioner of Public Works, and the Director of the Saratoga County Veterans Service Agency have recommended that the County enter into a lease renewal agreement with 2144 Doubleday Avenue, LLC for the continued lease of the office space at 2144 Doubleday Avenue, Ballston Spa, New York 12020 for a term of three (3) years, commencing August 8, 2026, at a rent of $2,323.94 per month, subject to annual rent increases of two percent (2%) of the prior year's rent for the second and third years; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute a lease renewal agreement and related lease documents with 2144 Doubleday Avenue, LLC for the continued lease of approximately 1,980 square feet of office space at 2144 Doubleday Avenue, Ballston Spa, New York 12020 for a term of three (3) years, commencing August 8, 2026, at a rent of $2,323.94 per month, subject to annual rent increases of two percent (2%) of the prior year's rent for the second and third years, and otherwise upon substantially the same terms and conditions as contained in the current lease; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 163 – 2026

Introduced by Buildings & Grounds: Supervisors Ball, Anderson, Arnold, Grasso, Sturm, Tollisen, and Young

AUTHORIZING AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR LEASE OF SPACE AT COUNTY BUILDING #5 AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolutions 245 – 2008 and 189 – 2015, this Board authorized a lease of office space in County Office Building #5 to the United States Department of Agriculture ("USDA"), which provides agricultural and conservation-related services to Saratoga County residents and businesses and has leased office space in County Office Building #5 for well over a decade; and

WHEREAS, our Building and Grounds Committee and the Commissioner of Public Works have recommended approval of an amendment to the existing lease with the USDA renewing the lease for an additional term of five (5) years, commencing October 1, 2026, at a rental rate of $32.83 per square foot, resulting in a monthly rent of $5,001.10 and annual rent of $60,013.24; and

WHEREAS, the approval of such an amendment to the existing lease requires a corresponding amendment to the 2026 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an amendment to the existing lease of office space in County Office Building #5 with the USDA, and any related documents, renewing it for an additional term of five (5) years, commencing October 1, 2026, at a rental rate of $32.83 per square foot, resulting in a monthly rent of $5,001.10 and annual rent of $60,013.24; and be it further

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

RESOLVED, that the 2026 County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS:

Increase Revenue:		
A.50-2415	Facilities Building	$ 2,911.08
Increase Fund Balance:		
A-0599.B	Appropriated Fund Balance – Budgetary	$ 2,911.08

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds and increase fund balance by $2,911.08.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 164 – 2026

Introduced by Buildings & Grounds: Supervisors Ball, Anderson, Arnold, Grasso, Sturm, Tollisen, and Young

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR COURTROOM UPGRADES AT THE COUNTY COURTHOUSE AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, certain courtrooms in the Saratoga County Courthouse, at 30 McMaster Street, Ballston Spa, New York 12020, have limited modern media capabilities to present and display evidence in the courtroom; and

WHEREAS, hearings and trials now frequently require the display of visual digital evidence and projection of digital audio evidence, which must be amplified and presented so the judge and each juror, witness, and attorney can readily present, view, and review the evidence with ease; and

WHEREAS, hearings and trials often include "virtual appearances" where a party or witness appears via secure teleconferencing software, which is a cost- and time-saving tool when it works, but a source of delays and frustration when it does not work as it should, and upgrading the software, sound systems, and displays should reduce potential issues with these virtual appearances; and

WHEREAS, there is a need to modernize the infrastructure of the courtrooms in the Saratoga County Courthouse to empower the attorneys presenting in those courtrooms with the available technology for better trial presentation and to increase accessibility for participants with visual or hearing impairments; and

WHEREAS, the County of Saratoga and the Office of Court Administration/New York State Unified Court System support the purchase and installation of new technology, including (a) high-definition monitors situated within arms-length of every party, the judge, and the jury; (b) HDMI-compatible devices and back-end network equipment for the display of evidence; (c) witness monitors with touchscreen capabilities, allowing for the presentation and marking of digital exhibits; (d) new courtroom speakers, allowing for amplification of audio evidence to the court, all parties, and the jury; (e) new cameras in the front and back of the courtroom, allowing video capture of the judge, witness, attorney tables, and podium (where/when applicable) to enable hybrid courtroom appearances via video conferencing, as well as to enable the ability to livestream court proceedings if required or deemed necessary to do so; (f) wireless microphones to support attorney mobility and jury selection; (g) an easy-to-use evidence control system; and (h) assistive technologies for individuals with hearing or vision limitations; and

WHEREAS, the Office of Court Administration and Saratoga County have an agreed-upon budget of $180,000 to purchase and install the above technologies for three (3) courtrooms in the

Saratoga County Courthouse for the benefit of all who practice in or benefit from these Courts; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with the Office of Court Administration/New York State Unified Court System for the transfer of funds to support the purchase and installation of new technology, including (a) high-definition monitors situated within arms-length of every party, the judge, and the jury; (b) HDMI-compatible devices and back-end network equipment for the display of evidence; (c) witness monitors with touchscreen capabilities, allowing for the presentation and marking of digital exhibits; (d) new courtroom speakers, allowing for amplification of audio evidence to the court, all parties, and the jury; (e) new cameras in the front and back of the courtroom, allowing video capture of the judge, witness, attorney tables, and podium (where/when applicable) to enable hybrid courtroom appearances via video conferencing, as well as to enable the ability to livestream court proceedings if required or deemed necessary to do so; (f) wireless microphones to support attorney mobility and jury selection; (g) an easy-to-use evidence control system; and (h) assistive technologies for individuals with hearing or vision limitations; and be it further

RESOLVED, that this agreement will permit the transfer of $180,000 for the purchase and installation of the above-described items; and be it further

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

RESOLVED, that the 2026 County Budget be amended as follows:

OFFICE OF THE DISTRICT ATTORNEY:

Increase Revenue:		
A.50-5031.Capital	Transfer from Capital Reserve	$ 180,000
Increase Expenses:		
A.50.513-7094	Bldg Components Realty	$ 180,000

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds, authorize the related expenses, and decrease the Capital Reserve by $180,000.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 165 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

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, VIALL AVENUE OVER ANTHONY KILL BRIDGE REPLACEMENT PROJECT IN THE CITY OF MECHANICVILLE, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a Project BIN 2202970, Viall Avenue over Anthony Kill, Bridge Replacement, City of Mechanicville, Saratoga County, PIN 1763.34 (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 eighty percent (80%) federal funds and twenty percent (20%) non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of one hundred percent (100%) of the non-federal share of the costs of Design and Right-of-Way Incidental Services; and

WHEREAS, an amendment of the 2026 County Budget is needed to appropriate the necessary funding for the Project; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the Project; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance one hundred percent (100%) of the federal and non-federal share of the costs of Design and Right-of-Way Incidental Services for the Project or portions thereof; and be it further

RESOLVED, that the sum of $504,989 is hereby appropriated from the 2026 County Budget and made available to cover the cost of the County's participation in cost of Design and Right-of-Way Incidental Services of the Project; and be it further

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

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

RESOLVED, that the 2026 County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS:

A Fund:

Decrease Expenses:		
A.90.920-9900.D	Transfer to County Road Fund	$ 169,753
Increase Fund Balance:		
A-0599.B	Appropriated Fund Balance – Budgetary	$ 169,753

D Fund:

Increase Revenue:		
D.50-3590	State Aid – Transportation	$ 75,750
D.50-4590	Federal Aid – Transportation	$ 403,992
Decrease Revenue:		
D.50-5031	Transfer from General Fund	($ 169,753)
Increase Expenses:		
D.50.510-7098	Prof Srv for Cap Purposes	$ 309,989

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds, authorize the related expenses, and increase fund balance by $169,753.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 166 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

AUTHORIZING AN AGREEMENT WITH CPL ARCHITECTS, ENGINEERS AND LANDSCAPE ARCHITECT, D.P.C. FOR PROFESSIONAL SERVICES RELATED TO THE VIALL AVENUE OVER ANTHONY KILL BRIDGE REPLACEMENT PROJECT IN THE CITY OF MECHANICVILLE

WHEREAS, pursuant to Resolution 165 – 2026, this Board of Supervisors approved the proposed project BIN 2202970, Viall Avenue over Anthony Kill, Bridge Replacement, in the City of Mechanicville, Saratoga County, PIN 1763.34 (the "Project"); and

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 CPL Architects, Engineers and Landscape Architect, D.P.C. to provide preliminary design, detailed design, and right-of-way incidental services related to the Project; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that a contract for preliminary design, detailed design, and right-of-way incidental services related to the Project be awarded to CPL Architects, Engineers and Landscape Architect, D.P.C. at a cost not to exceed $504,989; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with CPL Architects, Engineers and Landscape Architect, D.P.C. for the provision of preliminary design, detailed design, and right-of-way incidental services related to the Project at a cost not to exceed $504,989; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 167 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

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, TABOR ROAD OVER DWAAS KILL BRIDGE REPLACEMENT PROJECT IN THE TOWN OF HALFMOON, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a Project BIN 2202760, Tabor Road over Dwaas Kill, Bridge Replacement, Town of Halfmoon, Saratoga County, PIN 1763.37 (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 eighty percent (80%) federal funds and twenty percent (20%) non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of one hundred percent (100%) of the non-federal share of the costs of Design and Right-of-Way Incidental Services; and

WHEREAS, an amendment of the 2026 County Budget is needed to appropriate the necessary funding for the Project; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the Project; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance one hundred percent (100%) of the federal and non-federal share of the costs of Design and Right-of-Way Incidental Services for the Project or portions thereof; and be it further

RESOLVED, that the sum of $370,642 is hereby appropriated from the 2026 County Budget and made available to cover the cost of the County's participation in cost of Design and Right-of-Way Incidental Services of the Project; and be it further

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

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

RESOLVED, that the 2026 County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS:

A Fund:

Increase Expenses:

A.90.920-9900.D	Transfer to County Road Fund	$ 18,531

Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance – Budgetary	$ 18,531

D Fund:

Increase Revenue:

D.50-3590	State Aid – Transportation	$ 55,597
D.50-4590	Federal Aid – Transportation	$ 296,514
D.50-5031	Transfer from General Fund	$ 18,531

Increase Expenses:

D.50.510-7098	Prof Srv for Cap Purposes	$ 370,642

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds, authorize the related expenses, and decrease fund balance by $18,531.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 168 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

AUTHORIZING AN AGREEMENT WITH CPL ARCHITECTS, ENGINEERS AND LANDSCAPE ARCHITECT, D.P.C. FOR PROFESSIONAL SERVICES RELATED TO THE TABOR ROAD OVER DWAAS KILL BRIDGE REPLACEMENT PROJECT IN THE TOWN OF HALFMOON

WHEREAS, pursuant to Resolution 167 – 2026, this Board of Supervisors approved the proposed project BIN 2202760, Tabor Road over Dwaas Kill, Bridge Replacement, in the Town of Halfmoon, Saratoga County, PIN 1763.37 (the "Project"); and

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 CPL Architects, Engineers and Landscape Architect, D.P.C. to provide preliminary design, detailed design, and right-of-way incidental services related to the Project; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that a contract for preliminary design, detailed design, and right-of-way incidental services related to the Project be awarded to CPL Architects, Engineers and Landscape Architect, D.P.C. at a cost not to exceed $370,642; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with CPL Architects, Engineers and Landscape Architect, D.P.C. for the provision of preliminary design, detailed design, and right-of-way incidental services related to the Project at a cost not to exceed $370,642; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 169 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

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, CR-51 (CHARLTON ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CHARLTON, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the CR-51 (Charlton Road) Pavement Preservation Project, Town of Charlton, Saratoga County, PIN 1763.43 (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 eighty percent (80%) federal funds and twenty percent (20%) non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of one hundred percent (100%) of the non-federal share of the costs of the Preliminary Design and Detailed Design Services; and

WHEREAS, an amendment of the 2026 County Budget is needed to appropriate the necessary funding for the Project; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the Project; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance one hundred percent (100%) of the federal and non-federal share of the costs of the Preliminary Design and Detailed Design Services for the Project or portions thereof; and be it further

RESOLVED, that the sum of $210,000 is hereby appropriated from the 2026 County Budget and made available to cover the cost of the County's participation in cost of the Preliminary Design and Detailed Design Services of the Project; and be it further

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

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

RESOLVED, that the 2026 County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS:

A Fund:

Increase Expenses:

A.90.920-9900.D	Transfer to County Road Fund	$ 10,500

Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance – Budgetary	$ 10,500

D Fund:

Increase Revenue:

D.50-3590	State Aid – Transportation	$ 31,500
D.50-4590	Federal Aid – Transportation	$ 168,000
D.50-5031	Transfer from General Fund	$ 10,500

Increase Expenses:

D.50.510-7098	Prof Srv for Cap Purposes	$ 210,000

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds, authorize the related expenses, and decrease fund balance by $10,500.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 170 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

AUTHORIZING AN AGREEMENT WITH CREIGHTON MANNING ENGINEERING & SURVEYING, PLLC FOR PROFESSIONAL SERVICES RELATED TO THE CR-51 (CHARLTON ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CHARLTON

WHEREAS, pursuant to Resolution 169 – 2026, this Board of Supervisors approved the proposed CR-51 (Charlton Road) pavement preservation project, PIN 1763.43, in the Town of Charlton, Saratoga County, (the "Project"); and

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 Creighton Manning Engineering & Surveying, PLLC to provide preliminary and detailed design services related to the Project; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that a contract for preliminary and detailed design Services related to the Project be awarded to Creighton Manning Engineering & Surveying, PLLC at a cost not to exceed $210,000; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with Creighton Manning Engineering & Surveying, PLLC for the provision of preliminary and detailed design services related to the Project at a cost not to exceed $210,000; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 171 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

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, CR-92 (CRESCENT ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CLIFTON PARK, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the CR-92 (Crescent Road) Pavement Preservation Project, Town of Clifton Park, Saratoga County, PIN 1763.42 (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 eighty percent (80%) federal funds and twenty percent (20%) non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of one hundred percent (100%) of the non-federal share of the costs of the Preliminary Design and Detailed Design Services; and

WHEREAS, an amendment of the 2026 County Budget is needed to appropriate the necessary funding for the Project; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the Project; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance one hundred percent (100%) of the federal and non-federal share of the costs of the Preliminary Design and Detailed Design Services for the Project or portions thereof; and be it further

RESOLVED, that the sum of $410,000 is hereby appropriated from the 2026 County Budget and made available to cover the cost of the County's participation in cost of the Preliminary Design and Detailed Design Services of the Project; and be it further

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

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

RESOLVED, that the 2026 County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS:

A Fund:

Increase Expenses:

A.90.920-9900.D	Transfer to County Road Fund	$ 20,500

Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance – Budgetary	$ 20,500

D Fund:

Increase Revenue:

D.50-3590	State Aid – Transportation	$ 61,500
D.50-4590	Federal Aid – Transportation	$ 328,000
D.50-5031	Transfer from General Fund	$ 20,500

Increase Expenses:

D.50.510-7098	Prof Srv for Cap Purposes	$ 410,000

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds, authorize the related expenses, and decrease fund balance by $20,500.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 172 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

AUTHORIZING AN AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR PROFESSIONAL SERVICES RELATED TO THE CR-92 (CRESCENT ROAD) PAVEMENT PRESERVATION PROJECT IN THE TOWN OF CLIFTON PARK

WHEREAS, pursuant to Resolution 171 – 2026, this Board of Supervisors approved the proposed CR-92 (Crescent Road) pavement preservation project, PIN 1763.42, in the Town of Clifton Park, Saratoga County, (the "Project"); and

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 preliminary and detailed design services related to the Project; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that a contract for preliminary and detailed design services related to the Project be awarded to Greenman-Pedersen, Inc. at a cost not to exceed $410,000; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with Greenman-Pedersen, Inc. for the provision of preliminary and detailed design services related to the Project at a cost not to exceed $410,000; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 173 – 2026

Introduced by Public Works: Supervisors Anderson, Antoski, Ball, Brennan, Fish, Sturm, and Young

ACCEPTING A STATE AND MUNICIPALITIES GRANT FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Dormitory Authority of the State of New York ("DASNY") has notified our Department of Public Works that a State and Municipalities ("SAM") Grant, in the amount of $170,000, is available for a term of three (3) years; and

WHEREAS, the Commissioner of Public Works intends to use this funding for the purchase of an asphalt roller, identified as Project ID #15648, with the County matching funds totaling $12,084.95; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended the approval and acceptance of this SAM Grant from DASNY; and

WHEREAS, acceptance of this grant requires the approval of this Board and an associated amendment to the 2026 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors and/or Commissioner of Public Works are hereby authorized to execute all documents with the Dormitory Authority of the State of New York ("DASNY") necessary to accept a State and Municipalities ("SAM") Grant in the amount of $170,000; and be it further

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute any agreements, amendments, or extensions necessary to extend the term of the existing grant agreement, provided that such extensions do not alter the original scope of work, compensation, or any other material terms and conditions of the grant, and do not require additional County funding, without the need for further authorization by this Board; and be it further

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

RESOLVED, that the 2026 County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS:

Increase Revenue:

DM.50-3590	State Aid	$ 170,000

Increase Expenses:

DM.50.000-7042	Rolling Stock – Hwy use	$ 170,000

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 174 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

ESTABLISHING OR REVISING THE STANDARD WORKDAY AND REPORTING DAYS FOR THE NEW YORK STATE AND LOCAL RETIREMENT SYSTEM FOR CERTAIN COUNTY OFFICIALS

WHEREAS, this Board adopted Resolution 181 – 2012, as last amended by Resolution 196 – 2025, 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 – 2012 was most recently amended by Resolution 196 – 2025; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby amends Resolution 196 – 2025, and establishes the following as standard workdays for the elected and appointed County 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 County Officials to the 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)
Elected Officials									
Supervisor to Northumberland	6	Willard Peck	XXXX			01/01/2026 – 12/31/2026	N	0.49	
Supervisor to Greenfield	6	Michael Gyarmathy	XXXX			01/01/2026 – 12/31/2026	N	1.14	
Supervisor to Saratoga Springs	6	Sarah Burger	XXXX			01/01/2026 – 12/31/2027	N	3.97	
Supervisor to Saratoga Springs	6	Minita Sanghvi	XXXX			01/01/2026 – 12/31/2027	N	5.14	

Supervisor to Charlton	6	Joe Grasso	XXXX			01/01/2026 – 12/31/2028	N	14.73		
Supervisor to Clifton Park	6	Ram Lalukota	XXXX			01/01/2026 – 12/31/2026	N	4.77		
Supervisor to Balllston	6	John Antoski	XXXX			01/01/2026 – 12/31/2026	N		x	
Supervisor to Providence	6	Susan Wemple	XXXX			01/01/2026 – 12/31/2026	N	0.92		
Supervisor to Wilton	6	Toni Sturm	XXXX			01/01/2026 – 12/31/2026	N	0.7		
District Attorney	7	Brett Eby	XXXX			01/01/2026 – 1/1/2029	N	23.01		
County Coroner	6	Anthony Pernicario	XXXX			01/01/2026 – 1/2/2029	N	6.03		

Elected Officials (RS2419 submitted)

										Resolution
County Coroner	6	Susan Hayes-Masa	XXXX			01/01/2026 – 1/2/2029	N	8.84		239-2022
County Clerk	7	Craig Hayner	XXXX			01/01/2026 – 1/2/2029	N	26.4		239-2022
Elections Commissioner	7	Joe Suhrada	XXXX			01/01/2025 – 12/31/2028	N	24.89		166-2024
Elections Commissioner	7	Cassandra Bagramian	XXXX			01/01/2025 – 12/31/2028	N	22.62		114-2024
Supervisor to Corinth	6	C. Eric Butler	XXXX			01/01/2024 – 12/31/2027	N	4.92		239-2022
Supervisor to Clifton Park	6	Philip Barrett	XXXX			01/01/2026 – 12/31/2026	N	48.87		183-2024
Supervisor to Galway	6	James D. Arnold	XXXX			01/01/2026 – 12/31/2026	N	3.56		183-2024
Supervisor to Hadley	6	Arthur Wright	XXXX			01/01/2026 – 12/31/2026	N	6.36		156-2019
Supervisor to Halfmoon	6	Kevin Tollisen	XXXX			01/01/2026 – 12/31/2026	N	1.23		239-2022
Supervisor to Mechanicville	6	Thomas Richardson	XXXX			01/01/2024 – 12/31/2027	N	11.82		141-2020

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 175 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

AUTHORIZING AN AGREEMENT WITH CERIDA INVESTMENT CORP. DBA ANSWERNET FOR AFTER-HOURS TELEPHONE ANSWERING SERVICES AT THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

WHEREAS, the Department of Mental Health and Addiction Services provides after-hours crisis response services to clients and residents of Saratoga County, and must identify a vendor to provide real-time answering services and promptly relay urgent messages to on-call staff; and

WHEREAS, the Department of Mental Health and Addiction Services has received a proposal from Cerida Investment Corp. dba AnswerNet, in the amount of $723 per line per month, which includes 275 incoming calls and 25 outgoing calls, and a fee of $2.41 for each additional call, for after-hours telephone answering services for a term of two (2) years, commencing July 1, 2026 and expiring May 31, 2028, with a mutual renewal option of two (2) additional terms of one (1) year each; and

WHEREAS, our Law and Finance Committee and the Commissioner of Mental Health and Addiction Services have recommended that the proposal of Cerida Investment Corp. dba AnswerNet, the lowest responsible proposal received, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with Cerida Investment Corp. dba AnswerNet, in the amount of $723 per line per month, which includes 275 incoming calls and 25 outgoing calls, and a fee of $2.41 for each additional call, for after-hours telephone answering services at the Department of Mental Health and Addiction Services for a term of two (2) years, commencing July 1, 2026 and expiring May 31, 2028, with a mutual renewal option of two (2) additional terms of one (1) year each; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 176 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

AMENDING AN AGREEMENT WITH ENVIRONMENTAL DESIGN & RESEARCH, LANDSCAPE ARCHITECTURE, ENGINEERING & ENVIRONMENTAL SERVICES, D.P.C. FOR PROFESSIONAL SERVICES RELATED TO THE SOUTH BROADWAY SEWER EXTENSION PROJECT

WHEREAS, Saratoga County Sewer District No. 1's Spa Park Pump Station is in need of upgrades; and

WHEREAS, the Saratoga County Sewer Commission has solicited proposals for engineering service for the Sewer District's Spa Park Pump Station upgrade project; and

WHEREAS, the Saratoga County Sewer Commission, Executive Director of Saratoga County Sewer District No. 1, and the City of Saratoga Springs agreed that extending County-owned sewer infrastructure south on Route 9 could improve existing environmental conditions; and

WHEREAS, the County previously entered into an agreement with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. ("EDR") to provide professional engineering services for said Spa Park Pump Station upgrades and the South Broadway Sewer Extension project; and

WHEREAS, the New York State Historic Preservation Office has required a Phase IA archaeological survey and assessment for the South Broadway Sewer Extension project footprint; and

WHEREAS, our Law and Finance Committee, Saratoga County Sewer Commission, and the Executive Director of Saratoga County Sewer District No. 1 have recommended that the current contract with EDR for design and engineering services related to this upgrade project be increased by $11,500 to cover these required professional cultural resource services; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute a contract amendment with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. to provide a Phase IA archaeological survey for the Saratoga County Sewer District No. 1's South Broadway Sewer Extension project, at an additional cost not to exceed $11,500, resulting in a total contract cost of $236,125; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 177 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

AUTHORIZING CHANGE ORDER NO. 13 WITH JERSEN CONSTRUCTION GROUP, LLC FOR CONSTRUCTION SERVICES RELATED TO THE SARATOGA COUNTY SEWER DISTRICT NO. 1 SECONDARY CLARIFIER UPGRADE PROJECT AND AMENDING THE 2026 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Saratoga County Sewer District No. 1 Wastewater Treatment Plant is in need of rehabilitation and improvement; and

WHEREAS, the Wastewater Treatment Plant has three (3) secondary clarifiers that are in need of replacement and five (5) clarifiers that have been determined to be highly inefficient and in need of rehabilitation; and

WHEREAS, the Executive Director of Saratoga County Sewer District No. 1 solicited bids for work related to the rehabilitation and replacement of secondary clarifiers and electrical equipment at the Saratoga County Sewer District No. 1 Wastewater Treatment Plant; and

WHEREAS, pursuant to Resolution 118 – 2023, the County authorized an agreement with Jersen Construction Group, LLC, in the amount of $8,346,000, for the rehabilitation and replacement of secondary clarifiers at the Saratoga County Sewer District No. 1 Wastewater Treatment Plant; and

WHEREAS, positive change orders totaling $1,555,937 have been approved by the Executive Director of Saratoga County Sewer District No. 1 and the Board of Supervisors, and negative change orders totaling $105,652 have been approved by the Executive Director of Saratoga County Sewer District No. 1, thereby modifying the total cost of the agreement to $9,796,285; and

WHEREAS, an unanticipated need to complete other repairs to the system, including winter conditions and unforeseen conditions requiring concrete corbel leveling within clarifiers Nos. 1, 2, and 3, requires that the agreement with Jersen Construction Group, LLC be amended for an additional cost of $200,006; and

WHEREAS, our Law and Finance Committee, Saratoga County Sewer Commission, and the Executive Director of Saratoga County Sewer District No. 1 have recommended that the agreement with Jersen Construction Group, LLC relating to rehabilitation and replacement of the secondary clarifiers be amended to include other unanticipated repairs to the system, including winter conditions and unforeseen conditions requiring concrete corbel leveling, for an additional cost not to exceed $200,006; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an amended agreement with Jersen Construction Group, LLC for unanticipated repairs to the system associated with the rehabilitation and replacement of secondary clarifiers and electrical equipment at the Saratoga County Sewer District No. 1 Wastewater Treatment Plant, including winter conditions and unforeseen conditions requiring concrete corbel leveling, at an additional cost not to exceed $200,006 and a total cost not to exceed $9,996,291; and be it further

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

RESOLVED, that the 2026 County Budget be amended as follows:

SARATOGA COUNTY SEWER DISTRICT NO. 1:

Increase Expenses:		
ES.81.813-7095	Capital Equipment	$ 200,006
Decrease Fund Balance:		
ES-0599.B	Appropriated Fund Balance – Budgetary	$ 200,006

; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to authorize the related expenses and decrease Sewer Fund balance by $200,006.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 178 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

AUTHORIZING AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. FOR PROFESSIONAL SERVICES RELATED TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S FINANCIAL MODEL

WHEREAS, Saratoga County Sewer District No. 1 utilizes a Financial Planning Model to evaluate operational costs, capital investments, and long-term financial factors in response to the continued evolution of the District's capital plan; and

WHEREAS, the existing Financial Planning Model requires a comprehensive update to align with the Sewer District's upcoming budget cycle and incorporate the latest metrics regarding unrestricted cash balances, designated reserves, customer growth revenues, and 5-to-10-year future capital plans; and

WHEREAS, Raftelis Financial Consultants, Inc. has submitted a proposal to perform these professional consulting services, including updating the model, preparing a baseline projection, analyzing alternative projection scenarios, and presenting the final results; and

WHEREAS, our Law and Finance Committee and the Executive Director of Saratoga County Sewer District No. 1 have recommended accepting the proposal submitted by Raftelis Financial Consultants, Inc. for an amount not to exceed $16,000; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an agreement with Raftelis Financial Consultants, Inc. to update Saratoga County Sewer District No. 1's Financial Planning Model for an amount not to exceed $16,000; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 179 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

DECLARING THE BOARD OF SUPERVISORS TO SERVE AS LEAD AGENCY AND AUTHORIZING THE ISSUANCE OF A NEGATIVE DECLARATION IN THE SEQRA ENVIRONMENTAL REVIEW OF THE PROPOSED SOUTH BROADWAY SEWER EXTENSION IN THE CITY OF SARATOGA SPRINGS

WHEREAS, pursuant to Resolution 348 – 2025, this Board of Supervisors declared its intent to act as Lead Agency for the purposes of a coordinated environmental review under the New York State Environmental Quality Review Act (SEQRA), codified under 6 NYCRR Part 617, for the proposed Saratoga County Sewer District No. 1 South Broadway Sewer Extension Project ("Project"); and

WHEREAS, a Notice of Intent to Serve as Lead Agency was duly executed and circulated to all involved and interested agencies, initiating the requisite thirty-day review and objection period; and

WHEREAS, no involved agency objected to the designation of the Saratoga County Board of Supervisors as Lead Agency, thereby establishing the Board as Lead Agency by operation of law; and

WHEREAS, the Project involves the excavation, drilling, and installation of sewer infrastructure components on land along South Broadway (Route 9) in the City of Saratoga Springs, running in proximity to the Saratoga Spa State Park; and

WHEREAS, a Full Environmental Assessment Form (FEAF) Parts 1, 2, and 3 has been completed and reviewed by this Board; and

WHEREAS, the FEAF Part 2 and Part 3 evaluations demonstrate that all potential environmental impacts associated with the Project—including localized land disturbance, high water table depths, and intersections with state and federally regulated wetlands—will be minor, temporary, and mitigated through standard best management practices and strict compliance with the project's Article 24 Freshwater Wetlands permit issued in February 2026; and

WHEREAS, the New York State Historic Preservation Office (SHPO) has required a Phase IA archaeological survey and sensitivity assessment for the localized Project footprint, for which an engineering contract amendment has been authorized to complete said cultural resource services; and

WHEREAS, because construction is strictly limited to the heavily altered existing highway ROW, this outstanding cultural resources assessment is a standard protective step for regulatory clearance and is not sufficient to indicate a potential for significant adverse environmental impacts, nor does it warrant delaying the SEQRA determination; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby formalizes its designation to serve as Lead Agency for the SEQRA environmental review of the Saratoga County Sewer District No. 1 South Broadway Sewer Extension Project; and be it further

RESOLVED, that based upon the project plans, the Full Environmental Assessment Form, and the supporting environmental analyses, this Board determines that the South Broadway Sewer Extension Project will result in no significant adverse impacts on the environment, and that a Draft Environmental Impact Statement will not be prepared; and be it further

RESOLVED, that this Board hereby issues a Negative Declaration for this Type 1 Action pursuant to 6 NYCRR 617.7, and directs that this Notice of Negative Declaration be filed and published in accordance with applicable legal requirements; and be it further

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute Part 3 of the Full Environmental Assessment Form certifying this Determination of Significance; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

BOARD OF SUPERVISORS

06/16/2026

RESOLUTION 180 – 2026

Introduced by Law and Finance: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

ADOPTING A LOCAL LAW, IDENTIFIED AS INTRODUCTORY NO. 4, PRINT NO. 1 OF 2026, ENTITLED "A LOCAL LAW ADOPTING NEW SEWER USE RULES AND REGULATIONS FOR SARATOGA COUNTY SEWER DISTRICT NO. 1, WHICH SHALL SUPERSEDE AND REPLACE LOCAL LAW NO. 1 OF 2020"

WHEREAS, Resolution 125 – 2026 introduced and presented a proposed Local Law, identified as Introductory No. 4, Print No. 1 of 2026, to this Board of Supervisors and scheduled a Public Hearing thereon for May 12, 2026 at 4:30pm in the Meeting Room of the Saratoga County Board of Supervisors, at 40 McMaster Street, Ballston Spa, New York 12020; and

WHEREAS, notice of that Public Hearing was duly published and posted as required by law; and

WHEREAS, the scheduled Public Hearing was held and all persons desiring to be heard have been heard by this Board; and

WHEREAS, the official effective date of this local legislation shall be July 1, 2026; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 16th day of June 2026, hereby adopts a Local Law, identified as Introductory No. 4, Print No. 1 of 2026, as set forth in the annexed Schedule A; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

INTRODUCTORY NO. 4
PRINT NO. 1 OF 2026

Introduced by: Supervisors Murray, Anderson, Arnold, Ball, Butler, Fish, Grasso, Ostrander, and Tollisen

COUNTY OF SARATOGA
LOCAL LAW – 2026

A LOCAL LAW ADOPTING NEW SEWER USE RULES AND REGULATIONS FOR SARATOGA COUNTY SEWER DISTRICT NO. 1, WHICH SHALL SUPERSEDE AND REPLACE LOCAL LAW NO. 1 OF 2020

(TO BE INCORPORATED INTO THE SARATOGA COUNTY E-CODE AS CHAPTER 260. SEWER DISTRICT NO. 1, ARTICLE III. SEWER USE)

BE IT ENACTED, by the **Board of Supervisors** of the **County of Saratoga,** New York as follows:

Section 260-8 Purpose and Applicability

Section 260-9 Definitions

Section 260-10 Use of County and Tributary Sewers

Section 260-11 New Sewers, Sewer Extensions, and Building Connections

Section 260-12 Discharge of Waters not Containing Sewage

Section 260-13 Industrial Wastewater, Other Materials and Substances

Section 260-14 Industrial Wastewater Permit

Section 260-15 Disposition of Scavenger Wastes

Section 260-16 Enforcement and Penalties for Offenses

Section 260-17 Powers and Authority of Inspectors

Section 260-18 Protection from Damage

Section 260-19 Conflicts

Section 260-20 Rates

Section 260-21 Severability

Section 260-22 Effective Date

Section 260-23 Termination of Local Law No. 1 of 2020

Section 260-24 Incorporation Into Code of Saratoga County

SECTION 260-8. PURPOSE AND APPLICABILITY

A. The purposes of these rules and regulations are specifically stated as follows:

(1) To prohibit any new connections from inflow sources into the sanitary sewer system.

(2) To ensure that new sewers and connections to the sewer system are properly designed and constructed.

(3) To prohibit excessive volumes and/or inordinate rates of flow of sewage and wastes into the County District system.

(4) To prohibit the contribution of sewage, industrial wastewater, or other wastes of a flammable nature or which create in any way a poisonous or hazardous environment for sewerage maintenance and operation personnel.

(5) To prohibit the contribution of sewage, industrial wastewater, or other wastes which may cause maintenance difficulties in the trunk sewers, force mains, pumping stations, and other structures and appurtenances of the District sewerage system.

(6) To prohibit the contribution of sewage, industrial wastewater or other wastes which may create operating difficulties at the water pollution control plant as it now exists or may be constructed, modified or improved in the future.

(7) To prohibit or to regulate the contribution of sewage, industrial wastewater, or other wastes which require greater expenditures for treatment at the plant than are required for equal volumes of normal sewage.

(8) To require the pretreatment, before introduction into the District sewerage system, or sewers tributary thereto, of such wastes as may otherwise impair the strength and/or durability of the structures appurtenant to the system, by direct or indirect chemical action, or interfere with the normal treatment process.

(9) To provide cooperation with the New York State Department of Environmental Conservation, the Environmental Protection Agency and any other agencies which have requirements or jurisdiction for the protection of the physical, chemical and bacteriological quality of watercourses within or bounding the District.

(10) To protect the public health and to prevent nuisances.

(11) To charge all Users and those properties benefited by the District sewerage system and to impose a penalty for the nonpayment thereof.

B. This article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for Saratoga County Sewer District No. 1 and enables the District to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Program Regulations (40 CFR 403).

C. This article shall apply to Saratoga County Sewer District No. 1 and to those Users outside the District who are, by contract or agreement with the District, Users of the District's POTW.

D. Legal Authority per 40 CFR 403.8(f)(1)

The POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Act and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law. At a minimum, this legal authority shall enable the POTW to:

(i) Deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users where such contributions do not meet applicable Pretreatment Standards and Requirements or where such contributions would cause the POTW to violate its NPDES permit;

(ii) Require compliance with applicable Pretreatment Standards and Requirements by Industrial Users;

(iii) Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements. In the case of Industrial Users identified as significant under § 403.3(v), this control shall be achieved through individual permits or equivalent individual control mechanisms issued to each such User except as follows.

(A)(1) At the discretion of the POTW, this control may include use of general control mechanisms if the following conditions are met. All of the facilities to be covered must:

(i) Involve the same or substantially similar types of operations;

(ii) Discharge the same types of wastes;

(iii) Require the same effluent limitations;

(iv) Require the same or similar monitoring; and

(v) In the opinion of the POTW, are more appropriately controlled under a general control mechanism than under individual control mechanisms.

(2) To be covered by the general control mechanism, the Significant Industrial User must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general control mechanism, any requests in accordance with § 403.12(e)(2) for a monitoring waiver for a pollutant neither present nor expected to be present in the Discharge, and any other information the POTW deems appropriate. A monitoring waiver for a pollutant neither present nor expected to be present in the Discharge is not effective in the general control mechanism until after the POTW has provided written notice to the Significant Industrial User that such a waiver request has been granted in accordance with § 403.12(e)(2). The POTW must retain a copy of the

general control mechanism, documentation to support the POTW's determination that a specific Significant Industrial User meets the criteria in paragraphs (f)(1)(iii)(A)(1) through (5) of this section, and a copy of the User's written request for coverage for 3 years after the expiration of the general control mechanism. A POTW may not control a Significant Industrial User through a general control mechanism where the facility is subject to production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass of pollutant discharged per day or for Industrial Users whose limits are based on the Combined Wastestream Formula or Net/Gross calculations (§§ 403.6(e) and 403.15).

(B) Both individual and general control mechanisms must be enforceable and contain, at a minimum, the following conditions:

(1) Statement of duration (in no case more than five years);

(2) Statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator;

(3) Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law;

(4) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the Discharge in accordance with § 403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in part 403 of this chapter, categorical Pretreatment Standards, local limits, and State and local law;

(5) Statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable Federal deadlines;

(6) Requirements to control Slug Discharges, if determined by the POTW to be necessary.

(iv) Require (A) the development of a compliance schedule by each Industrial User for the installation of technology required to meet applicable Pretreatment Standards and Requirements and (B) the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance by Industrial Users with Pretreatment Standards and Requirements, including but not limited to the reports required in § 403.12.

(v) Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users. Representatives of the POTW shall be authorized to enter any premises of any Industrial User in which a Discharge source or treatment system is located or in which records are required to be kept under § 403.12(o) to assure compliance with Pretreatment Standards. Such authority shall be at least as extensive as the authority provided under section 308 of the Act;

(vi)

(A) Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement. All POTW's shall be able to seek injunctive relief for noncompliance by Industrial Users with Pretreatment Standards and Requirements. All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.

(B) Pretreatment requirements which will be enforced through the remedies set forth in paragraph (f)(1)(vi)(A) of this section, will include but not be limited to, the duty to allow or carry out inspections, entry, or monitoring activities; any rules, regulations, or orders issued by the POTW; any requirements set forth in control mechanisms issued by the POTW; or any reporting requirements imposed by the POTW or this Local Law in this part. The POTW shall have authority and procedures (after informal notice to the discharger) immediately and effectively to halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected Industrial Users and an opportunity to respond) to halt or prevent any discharge to the POTW which presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW. The Approval Authority shall have authority to seek judicial relief and may also use administrative penalty authority when the POTW has sought a monetary penalty which the Approval Authority believes to be insufficient.

(vii) Comply with the confidentiality requirements set forth in 40CFR § 403.14.

SECTION 260-9. DEFINITIONS

A. Unless the context specifically indicates otherwise, the meaning of terms used in this Local Law shall be as follows:

(1) "Abnormal Strength Sewage" shall mean any waste having a Suspended Solid, BOD, chlorine demand or total phosphate concentration in excess of that found in normal strength sewage, but which is otherwise acceptable into a public sewer under the terms of this Local Law.

(2) "Administrator" shall mean the Administrator of the United States Environmental Protection Agency or an authorized representative.

(3) "Approval Authority" shall mean the Director in a SPDES State with an approved State Pretreatment program.

(4) "A.S.T.M." shall mean the American Society for Testing and Materials.

(5) "Authorized Representative of Industrial User" shall be:

(a) If the User is a corporation:

[1] The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

[2] The manager of one or more manufacturing, production, or operation facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Saratoga County Sewer District #1.

(6) "Best Management Practices" (BMP) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 260-13 [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

(7) "B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade (68 degrees Fahrenheit) expressed in milligrams per liter (mg/l). Measurement shall be as set forth in the latest edition of "Standard Methods for the Examination of Water and Waste Water".

(8) "Building Drain" is that part of the horizontal piping of a building drainage system which received the discharge of all soil, waste and other drainage from inside the walls of any building and conveys the same to the building service sewer five feet outside the foundation wall of such building.

(9) "Building Connections" is that part of the horizontal piping of a building drainage system beginning five feet from the foundation wall and terminating at its connection with the main sewer, cesspool, septic tank or other disposal terminal.

(10) "Categorical Pretreatment or Categorical Standard" shall mean the National Categorical Pretreatment Standard defined as any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. §1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

(11) “Chlorine Demand” shall mean the difference between the amount of chlorine added to water, Sewage or Industrial Wastewater and the amount of residual chlorine remaining at the end of a twenty minute contact period at room temperature.

(12) “Combined Sewer” shall mean a Sewer designed to receive and transport both surface runoff and Sewage.

(13) “Commission” shall mean the Board of Commissioners appointed by the County Board of Supervisors as the administrative body of the Saratoga County Sewer District No. 1.

(14) “Commercial User” shall include any property occupied wholly or in part by a non-residential establishment not within the definition of “Industrial User” and which is connected to the publicly owned treatment works (POTW).

(15) “Composite Sample” shall mean a sample consisting of several effluent portions collected during a specific time period and combined to make a representative sample.

(16) “Composite Sewage” shall mean sewage consisting of several effluent portions collected from various discharge lines at a common point.

(17) “Cooling Water” shall mean the water discharged from any system on condensation, air conditioning, cooling refrigeration, or other sources. It shall contain no polluting substances which would produce B.O.D., or Suspended Solids, in excess of ten parts per million by weight, or toxic substances as limited elsewhere herein.

(18) “County” shall mean the County of Saratoga.

(19) “County Sewer District” shall mean Saratoga County Sewer District No. 1 or any successor county sanitary sewer district as created, altered or modified by action of the Saratoga County Board of Supervisors.

(20) “Department of Environmental Conservation” shall mean the New York State Department of Environmental Conservation.

(21) “Dilution” means the use of stormwater and/or demineralizer backwash and/or boiler blowdown and/or process water and/or any other discharge stream to dilute a regulated discharge.

(22) “Direct Discharge” shall mean discharge of treated or untreated wastewater directly to the waters of the State of New York.

(23) “Director” - The Executive Director of the Saratoga County Sewer District #1 and/or any other successor body, agency, commission or authority charged with the duty of the operation and maintenance of the Saratoga County Sewer District #1 and/or any other additional sewer disposal districts or facilities subject to the approval of the Board of Supervisors of the County of Saratoga or any other body designated pursuant to the laws of the State of New York or his/her authorized agent or representative.

(24) “District Sewerage System” shall mean the interceptor sewers, trunk sewers, collector sewers, force mains, pumping station, sewage treatment plants and other appurtenant structures owned and operated by the County Sewer District.

(25) “District” shall mean “County Sewer District”.

(26) “Domestic Sewage” shall mean wastewater from bathrooms, toilet, kitchen and home laundries.

(27) “Domestic User” shall mean any User not covered under the definition of “Industrial User” or “Commercial User”.

(28) “Effluent” shall mean wastewater after some degree of treatment flowing out of any treatment device or facilities.

(29) “EPA” shall mean the United States Environmental Protection Agency.

(30) “Excessive Infiltration/Inflow” shall mean the quantities of Infiltration/Inflow which can be economically eliminated from a Sewer system by rehabilitation, as determined by cost-effectiveness analysis that compares the costs for correcting the Infiltration/Inflow conditions with the total cost for transportation and treatment of the Infiltration/Inflow.

(31) “Flash Point” shall mean the lowest temperature at which the vapor of a volatile substance will ignite with a flash.

(32) “Flow Rate” shall mean the quantity of waste or liquid that flows in a certain period of time.

(33) “Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling and storage and sale of produce.

(34) “Grab Sample” shall mean a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

(35) “Holding Tank Waste” shall mean any waste of domestic origin from holding tanks such as chemical toilets, campers, trailers, human excrement and garbage (scavenger waste). Also included is sewage sludge from small sewage treatment plants.

(36) “Indirect Discharge” shall mean the discharge or the introduction of non-domestic pollutants from any source regulated under Section 307 (b) or (c) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

(37) “Industrial Wastewater” shall mean the liquid wastes, including Suspended Solids, resulting from industrial manufacturing processes, trade or business as distinct from Sanitary Sewage.

(38) “Industrial Wastewater Permit” shall mean a permit to deposit or discharge industrial wastewater into any sanitary sewer under jurisdiction of the District.

(39) “Industrial User” or “User” shall mean a source of Indirect Discharge.

(40) “Infiltration” shall mean the water entering a Sewer System, including Sewer service connections from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, Inflow.

(41) “Inflow” shall mean the water discharged into a Sewer System including service connections from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharge, drains from springs and swampy areas, manhole covers, cross connections from Storm Sewers and Combined Sewers, catch basins, stormwaters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, Infiltration.

(42) “Interference” shall mean a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) therefore is a cause of a violation of any requirement of the POTW’s NPDES (SPDES) permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act

(43) “mg/l“ shall mean milligrams per liter.

(44) “National Categorical Pretreatment Standard” shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

(45) [RESERVED]

(46) “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

(47) “New Source” shall mean any building, structure, facility or installation from which there is or may be a Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that: (i) the building, structure, facility or installation is constructed at a site at which no other source is located; or (ii) the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (iii) the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. (1) In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source,

should be considered. (2) Construction on a site at which an existing source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility or installation meeting the criteria of subparagraphs (ii) or (iii) of this section, but otherwise alters, replaces, or adds to existing process or production equipment. (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has: (i) begun, or caused to begin as part of a continuous onsite construction program: (A) any placement, assembly, or installation of facilities or equipment; or (B) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or (ii) entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(48) "Normal Sewage" shall mean Sewage, Industrial Wastewater or Other Wastes, which when analyzed show by weight the following characteristics:

(a) B.O.D. 2000 lbs., per million gallons (240 milligrams per liter) or less,
(b) Chlorine Demand 208 lbs., per million gallons (25 milligrams per liter) or less,
(c) Suspended Solids 2500 lbs., per million gallons (300 milligrams per liter) or less.

(49) "Objectionable Waste" shall mean any waste that can harm either the sewers, sewer treatment process, or equipment, have an adverse effect on the receiving stream, or otherwise endanger life, health, or property, or constitutes a nuisance.

(50) "Other Wastes" shall mean garbage (shredded or unshredded), refuse, wood, egg shells, coffeegrounds, sawdust, shavings, bark, sand, lime, cinder, ashes, and all other discarded matter not normally present in SEWAGE or INDUSTRIAL WASTEWATER.

(51) "Pass Through" shall mean a discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude or duration of a violation).

(52) "Person" shall mean any individual, firm, company, association, society, corporation, any other legal entity, ALL Federal, State, and local Government Entities or group contributing directly or indirectly to the DISTRICT SEWERAGE SYSTEM.

(53) "pH" shall mean the negative logarithm of the hydrogen ion concentration in moles per liter. It indicates the intensity of acidity and alkalinity of the pH scale running from 0.0 to 14.0. A pH value of 7.0, the midpoint of the scale, represents neutrality. Values below 7.0 represent acid conditions.

(54) "Polluted Water or Waste" shall mean any water, liquid or gaseous waste containing any of the following: soluble or insoluble substances of organic or inorganic nature which may deplete the dissolved oxygen content of the receiving stream; settleable solids that may form sludge deposits; grease and oils; floating solids which may cause unsightly appearance; color; phenols and other substances to an extent which would impart any taste or odor to the

receiving stream; and toxic or poisonous substances in suspension, colloidal state, solution or gases.

(55) "POTW Treatment Plant" shall mean that portion of the District's system which is designed to provide treatment (including recycling and reclamation) to wastes received by the District's system.

(56) "ppm" shall mean parts per million.

(57) "Pretreatment" shall mean the reduction of the amount of, or alteration of, pollutant properties in wastewater prior to, or in lieu of, discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, production process changes or by other means, except as prohibited by 40 CFR 403.6, General Pretreatment Regulations for Existing and New Sources of Pollution.

(58) "Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

(59) "Pretreatment Standard or Standards" shall mean prohibited discharge standards, categorical Pretreatment Standards, and/or Local Limits.

(60) "Properly Shredded Garbage" shall mean garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the public Sewer to which it is discharged, with no particle having a dimension greater than one-half (1/2) inch in any dimension.

(61) "Publicly Owned Treatment Works (POTW)" shall mean a treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) which is owned in this instance by the District. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of this Local Law, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the District who are, by contract or agreement with the District, Users of the District's POTW.

(62) "Public Sewer" shall mean a Sewer controlled by a public body.

(63) "Receiving Waters" shall mean a natural water course or body of water into which treated or untreated Sewage is discharged.

(64) "Sanitary Sewage" shall mean Sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories or institutions, and free from storm water, surface water, Industrial Wastewater, and Other Wastes.

(65) "Sanitary Sewer" shall mean a Sewer which carries Sewage and to which storm, surface and ground waters are not intentionally admitted.

(66) "Scavenger Wastes" shall mean the matter collected from privies, septic tanks, cesspools and chemical toilets and sludge from small sewage treatment plants (25,000 gallons per day or less).

(67) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface and storm water as may be inadvertently present. The admixture of SEWAGE as above defined with INDUSTRIAL WASTEWATER or other WASTES also shall be considered "SEWAGE" within the meaning of this definition.

(68) "Sewer" shall mean a pipe or a conduit for carrying Sewage.

(69) "Shall" is mandatory; "Must" is mandatory. "May" is permissive.

(70) "Significant Industrial User (SIU)"

Except as provided in paragraphs (c) and (d) of this Section, a Significant Industrial User is:

(a) An Industrial User subject to categorical Pretreatment Standards; or

(b) An Industrial User that:
[1] Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
[2] Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
[3] Is designated as such by the County on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

(c) The County may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
[1] The Industrial User, prior to County's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
[2] The Industrial User annually submits the certification statement required in Section 260-14 G(13)(b) [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
[3] The Industrial User never discharges any untreated concentrated wastewater.

(d) Upon a finding that a User meeting the criteria in Subsection (b) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the County may at any time, on its own initiative or in response to a petition received from an Industrial User, and in

accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

(71) "Significant Non-Compliance (SNC)" - A User is in significant non-compliance if its violation(s) meet(s) one or more of the following criteria: (1) Chronic violations of wastewater discharge limits, defined here as those, in sixty-six (66) percent or more of all of the measurements taken during a six-month period, which exceed (by any magnitude) the daily maximum limit or average limit for the same pollutant parameter (a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR § 403.3(I)); (2) Technical Review Criteria (TRC) violations, defined here as those, in which thirty-three (33) percent or more of all of the measurements for each pollutant parameter taken during a six-month period, which equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease; TRC = 1.2 for all other pollutants except pH); (3) Any other violation of a pretreatment effluent limit (daily maximum or long-term average) that the Director determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public); (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Director's exercise of its emergency authority under Section 260-16 of this Law; (5) Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance; (6) Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules; (7) Failure to report accurately any non-compliance; (8) Any other violation which the Director determines will adversely affect the implementation or operation of the local pretreatment program.

(72) "Slug Loading" shall mean discharges of a non-routine, episodic nature, including, but not limited to, an accident spill or non-customary batch discharge.

(73) "SPDES" shall mean the State Pollution Discharge Eliminations System.

(74) "Standard Industrial Classification (SIC)" shall mean a classification pursuant to the 1987 Standard Industrial Classification Manual or the most recent version of the North American Industry Classification System (NAICS), as published by the Office of Management and Budget.

(75) "Standard Methods" shall mean "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation, latest edition.

(76) "Storm Sewer" (Storm Drain) shall mean a Sewer which carries storm and surface waters and drainage but excludes Sewage and Industrial Wastewater other than cooling waters and other unpolluted waters.

(77) "Surface Water" shall mean the source of water which occurs when the rate of precipitation exceeds the rate at which water may infiltrate into the soil.

(78) "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, SEWAGE, or other liquids, and which are removable by flotation, skimming and sedimentation. Measurement shall be as set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

(79) "The Act" shall mean the Clean Water Act as amended.

(80) "Toxic Pollutant" shall mean any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of CWA 307 (a) or other Acts.

(81) "User" shall mean any person who contributes, causes or permits the contribution of wastewater into the District POTW.

(82) "Wastewater" shall mean the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

(83) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

(84) "°F" shall mean degree Fahrenheit.

(85) "°C" shall mean degree Centigrade.

SECTION 260-10. USE OF COUNTY AND TRIBUTARY SEWERS

A. Limitation of use.

(1) Disposal into the District sewerage system and sewers tributary thereto of any pollutant by any person is unlawful except in compliance with Federal standards promulgated pursuant to the Federal Water Pollution Control Act Amendments of 1972 and any more stringent State and local standards.

(2) The use of the District sewerage system and sewers tributary thereto shall be strictly limited and restricted to receiving and accepting the sewage, industrial wastewater and other wastes generated on, or discharged from, real property lying within the bounds of the County Sewer District. Notwithstanding the foregoing, the Commission may authorize by contract, after obtaining the approval of the Board of Supervisors, the use of the District facilities for collection and treatment of normal sewage from real property outside the bounds of the District.

(3) Sewage, industrial wastewater and other wastes will be accepted into the District sewerage system at point of connection and under conditions approved by the Commission. A permit

shall be required for each direct connection to the District sewerage system and each connection shall be inspected during construction.

B. Mandatory use. All requirements, directives and orders for the mandatory use of the District sewerage system, sewers tributary thereto or municipal systems for the proper discharge of sewage, industrial wastewater and other wastes compatible with this Local Law shall only be established and adopted by the local municipality having jurisdiction.

SECTION 260-11. NEW SEWERS, SEWER EXTENSIONS, AND BUILDING CONNECTIONS

A. New Sewers, Sewer Extensions and Building Connections will be required to meet all conditions of the Rules and Regulations adopted by the board at the time of construction. All connections must also meet the District's specifications in effect at the time of construction.

Combined sewers. After the effective date of this Local Law, the construction and use of new combined sewers or extensions to existing combined sewers tributary to the District sewerage system are prohibited.

B. Sanitary sewers, appurtenances, and building connections. All new sanitary sewers, sanitary sewer extensions, appurtenances, and building connections within the County Sewer District shall be properly designed, constructed, and tested in accordance with the appropriate and latest rules, regulations, and policies as set forth by the United States Environmental Protection Agency and New York State Department of Environmental Conservation.

C. Approval of sanitary sewers and appurtenances. Plans and specifications for all sanitary sewers and appurtenances shall be approved in writing by the Director before the start of construction, which approval shall not be arbitrarily withheld. Construction shall be in accordance with such approved plans and specifications. Results of leakage tests shall be submitted to the Director during construction.

D. Connection permits. No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District for such connection and, if required, paying either a permit fee or connection charge.

E. Application for permits. All applicants for a permit to connect to any public sewer shall fill out and file with the Director a sewer connection application as prerequisite for the consideration of such a permit. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director.

SECTION 260-12. DISCHARGE OF WATERS NOT CONTAINING SEWAGE

A. Statement of policy regarding existing local combined sewers and existing stormwater connections.

(1) It is one explicit purpose of this Local Law to deter, prevent and eliminate, as far as possible, the introduction of inflow into the District sewerage system and all sewers tributary thereto. However, it is recognized that in certain areas the immediate enforcement of these rules and regulations against existing connections would be unfeasible and unreasonable.

(2) This statement shall not be construed to mitigate in any way the enforcement of this Local Law against the construction of any new combined sewers or against any new connections discharging stormwaters to the District sewerage system or sewers tributary thereto or to the alleviation of excessive infiltration/inflow. Nor shall this statement of policy be used as a reason for not making any changes which may be ordered by governmental regulatory agencies.

B. Discharge of waters not containing sewage.

(1) No downspout, leader, gutter or pipe, drain or channel which may at any time carry stormwater, surface water or groundwater of any kind, nor any drain from any catch basin, lake, swamp, pond or swimming pool, nor any inlet for surface water, stormwater or groundwater of any kind, shall be connected to the District sewerage system or any sewer tributary thereto. However, existing facilities mentioned previously which are presently connected directly or indirectly to combined sewers may remain unless they contribute Excessive Infiltration/Inflow.

(2) Where Excessive Infiltration/Inflow has been determined to exist in sewers tributary to the District sewerage system, the local municipality, town district or transportation corporation which owns the tributary sewers shall undertake a suitable rehabilitation program to eliminate Excessive Infiltration/Inflow as directed by the Saratoga County Sewer Commission, but in no event shall the local municipality be required to undertake any such rehabilitation program where, in the opinion of any such municipality, such rehabilitation program shall place an undue financial burden upon the municipality.

SECTION 260-13. INDUSTRIAL WASTEWATER, OTHER MATERIALS, AND SUBSTANCES

A. Acceptance and rejection of wastes. All acceptance of wastes to the District MUST be in accordance (at the time of actual industrial discharge to the system) with the Industrial Pretreatment Program approved by the United States Environmental Protection Agency. The Industrial Pretreatment Program will be reviewed at a minimum every five (5) years.

(1) If any waters or wastes are discharged or are proposed to be discharged to the District sewerage system or sewers tributary thereto, which waters or wastes, in the judgment of the Director, may have a deleterious effect upon said system or sewers, processes, equipment or receiving waters, or may otherwise create a hazard to life or constitute a public nuisance, or may exceed the concentration limits prescribed for normal sewage, the Director may:

(a) Reject the waters or wastes;

(b) Require pretreatment to an acceptable condition for discharge to the sewer;

(c) Require control over the quantities and rates of discharge; and/or

(d) Require payment to cover the added cost of handling and treating the waters or wastes not covered by existing charges or sewer rents.

(2) Certified tests of industrial wastewater may be required periodically by the County Sewer District.

(3) The discharge of waters or wastes requiring pretreatment flow control, or additional treatment will not be permitted into the District sewerage system or sewers tributary thereto without previous approval by permit as prescribed under § 260-14 of this Article.

B. Wastewater requiring approval by permit. The following are some of the industries which require approval by permit before discharging wastewater into public sewers: tanning, metal pickling, metal plating, galvanizing, pulp and paper making, brewing, distilling, public laundering, laundromats, soap making, glue manufacturing, meat and poultry packing, food processing, wool scouring, bleaching and dyeing, munitions manufacturing, oil refining, wool washing, rubber production, salt works, chemical manufacturing, pharmaceutical manufacturing, slaughtering, dairies, dairy products, sugar refining, fat rendering, manufacture of syrups, jam or jelly, cotton textile manufacture or processing, or any industry producing wastes which may have or may create the aforesaid deleterious effects, hazards, nuisances, or added cost. The process or processes employed in the pretreatment and control, if required, of such wastewater shall in each case be satisfactory to and shall have the approval by permit of the Director as set forth under § 260-14 of this Article. No permit required pursuant to this section shall be arbitrarily denied.

C. Prohibited materials, substances, water and wastes. No person shall discharge or cause to be discharged into the District sewerage system or sewer tributary thereto any of the following materials, substances or wastes:

(1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than 5% nor any single reading over 10% of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which are a fire hazard or a hazard to the system.

(2) Any wastewater having a pH less than 5.0 or greater than 12.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to sewers, structures, equipment or personnel.

(3) Solid or viscous substances, in quantities or of such size or state, which may impair the hydraulic capacity, may cause maintenance difficulties, or may interfere with the proper operation of the District sewerage system and sewers tributary thereto, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plastics, wood, whole blood, paunch manure, feathers, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or macerated.

(4) Any liquid or vapor having a temperature higher than 150° F. (65° C.) or in such quantities that the temperature at the treatment works influent exceeds 104° F. (40° C.). If, in the opinion of the Director, lower temperatures of such wastes could harm either the sewers,

sewage treatment process, or equipment, have an adverse effect on the receiving stream, or could otherwise endanger life, health or property, or constitute or contribute to a nuisance, the Director may prohibit such discharges.

(5) Waters or wastes containing substances which are not amenable to treatment or reduction by the POTW processes employed, or are amenable to treatment only to such a degree that the POTW effluent cannot meet the requirements of regulatory agencies having jurisdiction over discharge to the receiving waters.

(6) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect on the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard or Pretreatment Standard.

(7) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Federal Water Pollution Control Act, any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, or State criteria applicable to the sludge management method being used.

D. Prohibited or restricted materials, substances, waters and wastes. No person shall discharge or cause to be discharged into the District sewerage system or sewers tributary thereto the following described materials, substances, waters, or wastes if it appears likely in the judgment of the Director that such wastes may have a deleterious effect upon the District sewerage system or sewers tributary thereto, sewage treatment or other processes, equipment, or receiving waters, or may otherwise endanger life, limb, property, or constitute a public nuisance.

(1) In forming this opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction, POTW processes and capacity, degree of treatability, and other pertinent factors.

(2) The materials, substances, waters and wastes prohibited or restricted are:

(a) Any waters or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l, or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.).

(b) Any garbage that has not been properly shredded. The installation and operation of garbage grinders equipped with a motor greater than 3/4 horsepower shall be subject to the review and approval of the Director. (Not more than 30% of ground garbage, on the dry basis, shall pass a No. 40 U.S. Standard sieve.)

(c) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable County, State or Federal regulations.

(d) Materials which exert or cause unusual concentration of inert Suspended Solids, such as, but not limited to, Fuller's earth, lime slurries, and lime residues or of dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate.

(e) Waters or wastes which exert or cause unusual volume of flow or concentration constituting "slugs" as defined herein.

(f) Any waters or wastes containing materials which exert or cause excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(g) Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Director to meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(h) Any noxious malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(i) Any substance which will cause the POTW to violate its SPDES permit or the receiving water quality standards.

(j) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

(k) Any waters or waste from a motor vehicle, tank truck or any other mobile conveyance without prior written authorization by the Director, specifying the nature, volume, manner, time and place of discharge.

(3) When the Director determines that a User(s) is contributing to the POTW any of the above-enumerated substances in such amounts as to interfere with the operation of the POTW, the Director shall advise the User(s) of the impact of the contribution on the POTW and develop effluent limitation(s) for such User to correct the interference with the POTW.

E. Prohibited or restricted toxic pollutants. No person shall discharge or cause to be discharged into the District sewerage system or sewers tributary thereto any water or wastes containing toxic, poisonous, or other solids, liquids, or gases in sufficient quantity, in the judgment of the Director, either singly or by interaction with other processes, equipment, or receiving waters, to endanger life, limb, or property or to constitute a public nuisance.

(1) The following is a partial list of such prohibited or restricted substances:

(a) Alcohols.

(b) Antibiotics.

(c) Arsenic and arsenicals.

(d) Bromine, iodine, chlorine.

(e) Copper and copper salts.

(f) Cresols and creosotes.

(g) Fluorides.

(h) Formaldehyde.

(i) Mercury and mercurials.

(j) Phenolic compounds.

(k) Silver and silver compounds.

(l) Sulfonamides, toxic dyes (organic or mineral).

(m) Zinc compounds.

(n) All strong oxidizing agents such as chromates, dichromates, permanganates, peroxides, etc.

(o) Chemical compounds producing toxic, flammable or explosive gases, either upon acidification, alkalization, oxidation or reduction.

(p) Strong reducing agents such as nitrates, sulfides, sulfites, thiosulfates, etc.

(q) Wastes from industrial processes or hospital procedures containing viable pathogenic organisms.

(2) Local Limits. The following pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess of the following Limit unless permitted otherwise:

Substance	Maximum Concentration (milligrams per liter unless otherwise noted) unless permitted otherwise At Discharge to Public Sewers
Arsenic	0.037
Ammonia	30
BOD_5	240
Cadmium	0.0061
Chloroform	1.27
Chromium	0.40
Copper	0.208
Cyanide	0.33
Fluoride	17.4
Lead as Pb	0.105
Mercury	200 ηg/l
Molybdenum	0.044
Nickel	0.195
Oil & Grease, Total	100
Selenium	0.082
Silver	0.248
Tetrachloroethylene	Monitor
Trichloroethylene	Monitor
Total Suspended Solids	300
Zinc	1.40
Zirconium	3.84
Bromine, Iodine, Chlorine	75
Total Phenols	0.212

(3) Discharge concentrations shall be determined from a twenty-four-hour composite sample collected from the building service sewer at a point prior to connection to Saratoga County Sewer District collector sewers or how determined in the User's permit. Users with multiple discharge outfalls shall not combine wastewater streams unless approved by the District.

(4) The Director may impose lower concentrations at the point of discharge to the public sewers where maximum concentrations at the plant influent are exceeded.

(5) The Director may permit higher concentrations where the substances are effectively removed by the District's POTW and do not constitute or create the aforesaid deleterious effects, dangers or nuisance.

(6) The provisions of this section shall not apply to any municipality discharging sewage from a municipal sewage collection system into the Saratoga County Sewer District sewage system unless the municipality is itself the User in violation.
(7) The Director may develop Best Management Practices (BMPs) in individual wastewater discharge permits, to implement Local Limits and the requirements of Section 260-13.

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal standard, if more stringent than the limitation imposed under this section for sources in that subcategory, shall immediately supersede the limitations imposed under this article. The Director shall notify all affected Users of the applicable reporting requirements under 40 CFR 403.12.

F. Modification of Federal Categorical Pretreatment Standards

Where the POTW Treatment Plant achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the District may apply to the approval authority for modification of specific limits in the Federal Pretreatment Standards. "Consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system as shown by 95% of the samples taken when measured according to the procedures set forth in 40 CFR 403.7(c)(2), General Pretreatment Regulations for Existing and New Sources of Pollution, promulgated pursuant to the Act. The District may then modify pollutant discharge limits in the Federal Pretreatment Standard if the requirements contained in 40 CFR 403.7 are fulfilled and prior approval from the Approval Authority is obtained.

G. State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this article.

H. Excessive Discharge/Dilution Prohibition

Except where expressly authorized to do so by an applicable Pretreatment Standard or Requirement, no User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Director may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

I. Slug Discharges and Slug Discharge Control Plans

The Director shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Director may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Director may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

1. Description of discharge practices, including non-routine batch discharges;

2. Description of stored chemicals;

3. Procedures for immediately notifying the Director of any accidental or Slug Discharge, including any Discharge that would violate a prohibition under §403.5(b) with procedures for follow-up written notification within five days;

4. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response;

5. Penalties as outlined in Section §260-16 of this Local Law that may be assessed if the Slug Discharge Control plan is not adhered to; and

6. Federal Categorical Pretreatment Standards.

SECTION 260-14. INDUSTRIAL WASTEWATER PERMIT

A. Permits; when required.

(1) Except upon the issuance of a permit by the Director and upon such terms and conditions as may be established by the Director in the issuance of such a permit, it shall be unlawful for any person:

(a) To discharge sewage directly into the District sewerage system.

(b) To discharge directly or indirectly into the District sewerage system, or tributary public sewers or into any private sewer or any combined sewer discharging into a tributary public sewer, sewage, combined with industrial wastewater or other wastes, which, at the point of discharge, exceeds the concentration limits prescribed for normal sewage under § 260-9 herein or falls within the categories prohibited or restricted under § 260-13 herein.

(2) Each significant Industrial User proposing to connect to or to contribute to the POTW shall obtain an industrial wastewater permit before connecting to or contributing to the POTW.

B. Permit application.

(1) Significant Industrial Users required to obtain an industrial wastewater permit shall complete the application form available from the District. In support of the application, the User shall submit, in units and terms appropriate for evaluation as determined by the Director, the following information:

(a) Name, address, and location (if different from the address).

(b) SIC number according to the 1987 Standard Industrial Classification Manual or the most recent version of the North American Industry Classification System (NAICS), as published by the Office of Management and Budget.

(c) Wastewater constituents and characteristics including, but not limited to, those mentioned in § 260-13 of this Article as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR 136, as amended.

(d) Time and duration of contribution.

(e) Average daily and maximum daily wastewater flow rates, including daily, monthly and seasonal variations, if any.

(f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation.

(g) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged.

(h) Where known, the nature and concentration of any pollutants in the discharge which are limited by the District, State or Federal Categorical Pretreatment Standards, and a statement regarding whether or not the Categorical Pretreatment Standards and Pretreatment Standards are being met on a consistent basis and, if not, whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the User to meet applicable Categorical Pretreatment Standards and Pretreatment Standards.

(i) If additional pretreatment and/or O&M are required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Categorical Pretreatment Standard and Pretreatment Standard. The following conditions shall apply to this schedule:

[1] The schedule shall contain increments of progress in the form of dates for commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Categorical Pretreatment Standard and Pretreatment Standard (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

[2] No increment referred to in Subsection B(1)(i)[1] shall exceed nine months.

[3] Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Director stating, as a minimum, whether or not it complied with the increment

of progress to be met on such date and, if not, the day on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Director.

(j) Each product produced by type, amount, process or processes and rate of production.

(k) Type and amount of raw material processed (average and maximum per day).

(l) Number and type of employees and hours of operation of plant and proposed or actual hours of operation of pretreatment system.

(m) Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on §260-14(G)(4)(b) [40 CFR 403.12(e)(2)].

(n) Any other information as may be deemed by the Director to be necessary to evaluate the permit application.

(2) Upon receipt of all required information, the application shall be processed and the determination of significant Industrial User shall be made.

(3) Permit modification. Within nine months of the promulgation of a National Categorical Pretreatment Standard, the industrial wastewater permit of Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a User subject to a National Categorical Pretreatment Standard has not previously submitted an application for an industrial wastewater permit as required by this section, the User shall apply for a permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the User with an existing industrial wastewater permit shall submit to the Director within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by Subsection B(1)(h) and (i). Permit modification may be enacted at any time by the Director should Pretreatment Standards, local limits or the wastewater characteristics change.

C. Permit contents. An industrial wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Director to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(1) Individual wastewater discharge permits must contain:

(a) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;

(b) A statement that the wastewater discharge permit is nontransferable in accordance with Subsection 260-14 F(2) of this Local Law;

(c) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards and/or Categorical Pretreatment Standards;

(d) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or Best Management

Practices) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

(e) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Subsection 260-14 G(4)(b).

(f) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law; and

(g) Requirements to control Slug Discharge, if determined by the Director to be necessary.

(2) Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

(a) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(b) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(c) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(d) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(e) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;

(f) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(g) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal Categorical Pretreatment Standards, Pretreatment Standards including those which become effective during the term of the individual wastewater discharge permit; and

(h) Other conditions as deemed appropriate by the Director to ensure compliance with this Local Law, and State and Federal laws, rules, and regulations.

D. Terms and conditions. Terms and conditions as may be required and imposed by the Director in the issuance of the permit are as follows:

(1) A limitation upon the volume of sewage and the rate of flow permitted from the premises.

(2) The installation and maintenance by the permittee, at his own expense, of:

(a) Facilities or equipment for intermittent or continuous measurement of sewage, industrial wastewater or other wastes discharged from the premises into a public sewer and maintenance of appropriate records of all measurements.

(b) Detention tanks or other facilities or equipment for reducing the maximum rates of discharge of sewage to such a percentage of the twenty-four-hour rate as may be required by the Director.

(c) Such pretreatment facilities as may be required by the Director.

(d) A suitable control or sampling manhole or manholes in any sewer discharging to a public sewer for which a permit is issued.

(e) Grease, oil and sand interceptors, separators or traps that are necessary for the proper handling of liquid wastes containing such substances in excessive quantities or any flammable waste or other harmful ingredients.

(3) The submission to and approval by the Director of the plans for any of the facilities or equipment required to be installed and maintained by the permittee.

(4) Such other terms and conditions as may be necessary to protect the District sewerage system and the public sewer tributary to it and to carry out the intent and provisions of this Local Law.

(5) Such terms and conditions may also provide that, subsequent to the commencement of operation of any pretreatment facilities, periodic reports with certified test results shall be made by the permittee to the Director, setting forth adequate data upon which the acceptability of the sewage, industrial wastewater or other wastes, after treatment, may be determined.

(6) Where pretreatment or flow-equalizing facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the permittee at his expense.

(7) A violation by the permittee of the permit shall be a cause for revocation or suspension of the permit.

E. Sampling and testing wastes. Whenever sewage, industrial wastewater or other wastes having characteristics other than prescribed for normal sewage as defined in § 260-9 herein, or falling within the categories of waste prohibited or restricted from public sewers pursuant to this Local Law, is discharged into public sewers from any premises, the Director shall have the right to take samples and tests as may be necessary to determine the nature and concentration of such wastes and shall have the right to reassess his determinations by taking samples and tests at any time or by periodic rechecks without notice to the person discharging such wastes.

(1) Samples shall be taken and flow measurements made normally at the control manhole or manholes.

(2) In the event that the requirement for a control manhole or manholes has been specifically waived, the samples shall be taken at a point or points to be selected by the Director.

(3) When required by the Director, the owner of any property serviced by a building sewer carrying industrial wastewater and classified as a significant Industrial User shall install a suitable control manhole together with such meters and other appurtenances in the building sewers as are necessary to facilitate observation, sampling and measurement of the wastes. Such manholes, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner at the owner's expense and shall be maintained by him so as to be safe and accessible at all times.

(4) Measurement and analyses of wastes. All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in this Local Law shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and shall be determined at the sampling port, or upon suitable samples taken at said sampling port. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property.

F. Permit duration and transfer.

(1) Permit duration. Permits shall be issued for a specified time period, not to exceed three years. A permit may be issued for a period less than a year or may be stated to expire on a minimum of 180 days prior to the expiration of the User's existing permit. The terms and conditions of the permit may be subject to modification by the District during the term of the permit as limitations or requirements, as identified in § 260-13, are modified or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(2) Permit transfer. An industrial wastewater permit is issued to a specific User for a specific operation. A permit shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation.

G. Reporting requirements for permittee.

(1) Baseline Monitoring Reports

(a) Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, Pretreatment Standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in paragraph (b), below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Director a report which contains the information listed in paragraph (b), below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(b) Users described above shall submit the information set forth below.

[1] General Information.

[a] The name and address of the facility, including the name of the operator and owner.

[b] Environmental Permits. A list of any environmental control permits held by or for the facility.

[c] A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.

[d] Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

[2] Measurement of Pollutants.

[a] The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

[b] The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Director, of regulated pollutants in the discharge from each regulated process. This is also required for Pretreatment Standards.

[c] Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

[d] The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 260-14(G)(10) of this Local Law. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Director or the applicable Standards to determine compliance with the Standard.

[e] The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

[f] Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority.

[g] Sampling and analysis shall be performed in accordance with §260-14 G(10).

[h] The Director may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.

[i] The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

[3] Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in §260-9 A(5) and certified by a qualified professional, indicating whether Pretreatment Standards and Categorical Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

[4] Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in § 260-14(G)(2) of this Local Law.

[5] Signature and Report Certification. All baseline monitoring reports must be certified in accordance with § 260-14(G)(13)(a) of this Local Law and signed by an Authorized Representative as defined in § 260-9(A)(5).

(2) Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by §260-14 (G)(1)(b)[4] of this Local Law:

(a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and

operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation); and

(b) No increment referred to above shall exceed nine (9) months; and

(c) The User shall submit a progress report to the Director no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

(d) In no event shall more than nine (9) months elapse between such progress reports to the Director.

(3) Reports on Compliance with Categorical Pretreatment Standards and Pretreatment Standards Deadline

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards and Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Director a report containing the information described in § 260-14(G)(1)(b)[1][d] and § 260-14(G)(1)(b)[2] of this Local Law. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with § 260-14(G)(13)(a) of this Local Law. All sampling will be done in conformance with § 260-14(G)(10) of this Local Law.

(4) Periodic compliance reports.

(a) Except as specified in § 260-14(G)(4)(c) hereinafter, all Significant Industrial Users must, at a frequency determined by the Director submit no less than twice per year (June and December or on dates specified) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Director or the Pretreatment Standard necessary to determine the compliance status of the User.

(b) The County may authorize a Significant Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant

due to activities of the Industrial User. [see 40 CFR 403.12(e)(2)] This authorization is subject to the following conditions:

[1] The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.

[2] The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit. See Subsection B(1)(m).

[3] In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

[4] The request for a monitoring waiver must be signed in accordance with §260-9(A)(5), and include the certification statement in §260-14 (G)(13)(a) [40 CFR 403.6(a)(2)(ii)].

[5] Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

[6] Any grant of the monitoring waiver by the Director must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Director for 3 years after expiration of the waiver.

[7] Upon approval of the monitoring waiver and revision of the User's permit by the Director, the Industrial User must certify on each report with the statement in §260-14(G)(13)(c) below, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.

[8] In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Subsection (G)(4)(a), or other more frequent monitoring requirements imposed by the Director, and notify the Director.

[9] This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

(c) The County may reduce the requirement for periodic compliance reports [see Subsection (G)(4)(a) (40 CFR 403.12(e)(1))] to a requirement to report no less frequently than once a year, unless required more frequently in the Pretreatment Standard or by the EPA, where the Industrial User's total categorical wastewater flow does not exceed any of the following:

i. POTW's value for 0.01 percent of the POTW's design dry-weather *hydraulic capacity* of the POTW, or five thousand (5,000) gallons per day, whichever is smaller, as measured by a continuous effluent flow monitoring device unless the Industrial User discharges in batches;

ii. POTW's value for 0.01 percent of the design dry-weather *organic treatment capacity* of the POTW; and

iii. POTW's value for 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical Pretreatment Standard for which approved Local Limits were developed in accordance with §260-13(E)(2) of this Local Law. [Note: For example, if the POTW's maximum allowable headworks loading for copper is 5 pounds, then 0.01 percent would be 0.0005 pounds; the POTW would need to do this calculation for each pollutant for which it has approved Local Limits.]

Reduced reporting is not available to Industrial Users that have in the last two (2) years been in Significant Noncompliance, as defined in § 260-16 of this Local Law. In addition, reduced reporting is not available to an Industrial User with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the Director, decreasing the reporting requirement for this Industrial User would result in data that are not representative of conditions occurring during the reporting period.

(d) All periodic compliance reports must be signed and certified in accordance with § 260-14(G)(13)(a) of this Local Law.

(e) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

(f) If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Director, using the procedures prescribed in § 260-14(G)(10) of this Local Law, the

results of this monitoring shall be included in the report. [Note: See 40 CFR 403.12(g)(6)]

(5) Reports of Changed Conditions

Each User must notify the Director of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.

(a) The Director may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under § 260-14(B) of this Local Law.

(b) The Director may issue an individual wastewater discharge permit under § 260-14 of this Local Law or modify an existing wastewater discharge permit under § 260-14(F)(1) of this Local Law in response to changed conditions or anticipated changed conditions.

(6) Reports of Potential Problems.

(a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

(b) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees who could cause such a discharge to occur are advised of the emergency notification procedure.

(c) Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge.

(7) Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Director as the Director may require.

(8) Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Director in writing within twenty-four (24) hours of becoming aware of the violation by email to the email address provided by the District to the User at the time the District issues its Permit to User, or to such other email address as the District shall direct upon notice to User. Any verbal notification of a violation provided by the User to the Director must be followed up by the User with a written notification to the Director as provided herein. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director

within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the County performs sampling at the User's facility at least once a month, or if the County performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the County receives the results of this sampling, or if the County has performed the sampling and analysis in lieu of the Industrial User.

(9) Notification of the Discharge of Hazardous Waste

(a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under § 260-14(G)(5) of this Local Law. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of §§ 260-14(G)(1), (3) and (4) of this Local Law.

(b) Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

(c) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Director, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

(d) In the case of any notification made under this Section, the User shall certify that a program is in place to reduce the volume and toxicity of hazardous wastes generated to the degree determined to be economically practical.

(e) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Local Law, a permit issued thereunder, or any applicable Federal or State law.

(10) Analytical Requirements and Sample Collection.

(a) All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Director or other parties approved by EPA.

(b) Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

[1] Except as indicated in Sections [2] and [3] below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Director. Where time-proportional composite sampling or grab sampling is authorized by the County, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the County, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

[2] Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

[3] For sampling required in support of baseline monitoring and 90-day compliance reports required in §§ 260-14(G)(1) and (3) [40 CFR

403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Director may authorize a lower minimum. For the reports required by paragraphs § 260-14(G)(4) (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

(11) Date of Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

(12) Recordkeeping

Users subject to the reporting requirements of this Local Law shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Local Law, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under § 260-13(E)(7) of this Article. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analyses themselves; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the County, or where the User has been specifically notified of a longer retention period by the Director.

(13) Certification Statements

(a) Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The following certification statement is required to be signed and submitted by Users submitting permit applications; Users submitting baseline monitoring reports under §260-14(G)(1)(b)[5] [Note: See 40 CFR 403.12 (l)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under §260-14(G)(3) [Note: See 40 CFR 403.12(d)]; Users submitting periodic compliance reports required by §260-14(G)(4)(a-d) [Note: See 40 CFR 403.12(e) and (h)], and Users submitting an initial request to forego sampling of a pollutant on the basis of §260-14(G)(4)(b)[4] [Note: See 40 CFR 403.12(e)(2)(iii)]. The following certification statement must be signed by an Authorized Representative as defined in §260-9(A)(5):

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who

manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(b) Annual Certification for Non-Significant Categorical Industrial Users—A facility determined to be a Non-Significant Categorical Industrial User by the Director pursuant to §260-9(A)(70)(c) [Note: See 40 CFR 403.3(v)(2)] must annually submit the following certification statement signed in accordance with the signatory requirements in §260-9(A)(5) [Note: See 40 CFR 403.12(l)]. This certification must accompany an alternative report required by the Director:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

[1] The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in § 260-9(A)(70)(c); [Note: See 40 CFR 403.3(v)(2)]

[2] The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based on the following information.

_____

_____

(c) Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on § 260-14(G)(4)(b) must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User. [Note: See 40 CFR 403.12(e)(2)(v)]

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under § 260-14(G)(4)(a).

H. Pretreatment. Users shall provide necessary wastewater pretreatment as required to comply with this article and shall achieve compliance with all Federal Categorical Pretreatment Standards and other applicable Pretreatment Standards within the time limitations as specified by the Federal pretreatment standards. Any facilities required to pretreat wastewater to a level acceptable to the

District shall be provided, operated and maintained at the User's expense. Detailed plans and descriptions of the pretreatment facilities and operating procedures shall be submitted to the District for review and shall be acceptable to the District before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the District under the provisions of this article. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to the User's initiation of the changes.

(1) The District can annually publish in a newspaper of general circulation a list of the Users which were not in compliance with any Pretreatment Requirements or standards at least once during the 12 previous months. The notification shall also summarize any enforcement actions taken against the User(s) during the same 12 months.

(2) All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or approval authority upon request.

I. Confidential information.

(1) Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes of methods of production entitled to protection as trade secrets of the User.

(2) When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Local Law, the National Pollutant Discharge Elimination System (NPDES), State Disposal System permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

(3) Information accepted by the District as confidential shall not be transmitted to any governmental agency or to the general public by the District until and unless a ten (10) day notification is given to the User, with the exception of the EPA. The EPA shall have immediate and unlimited access to all information, including information deemed confidential collected by the District under its pretreatment program.

(4) Required Notice of Change in Volume or Character of Wastes: Any Industrial User, which is connected to the District POTW and is discharging wastewater thereto, shall notify the Director fifteen (15) days prior to the commencement of any action, alteration or construction that will result in a significant change in the flow volume or character of this discharge. Notification of discharge under emergency conditions and spillage of wastewater not in accordance with standards shall be made as required in this Article.

J. Pretreatment standards. In compliance with Public Laws 84-660 and 92-500 of the Water Pollution Control Acts and amendments thereto, this Local Law adopts and uses as a guide the national pretreatment standards and the Environmental Protection Agency's (EPA) Pretreatment Guidelines. The District recognizes that, in some cases, these pretreatment standards may not be sufficient to protect the operation of its POTW treatment plant and enable it to comply with the terms of its SPDES permit. In such cases, the District reserves the right to impose more stringent pretreatment standards than those specified in the EPA regulations. The NATIONAL PRETREATMENT STANDARDS, found in 40 CFR CHAPTER I, subchapter N, PARTS 405-471, are hereby incorporated into this Local Law.

SECTION 260-15. DISPOSITION OF SCAVENGER WASTES

A. License required. The discharge of scavenger wastes into the District sewerage system and sewers tributary thereto will be permitted only with the approval of the Commission. Persons desiring to discharge scavenger wastes shall be required to obtain a license from the Director and the Department of Environmental Conservation. "Scavenger wastes" under this section shall mean suitable conditioned human excrement in a fluid state, and this only, when such material is collected from septic tanks, cesspools or approved type of chemical toilets, and also sewage sludge from small sewage treatment plants all located within the limits of the County of Saratoga. The discharge of scavenger wastes into the District's sewerage system and sewers tributary from sources outside of Saratoga County is prohibited.

B. Conditions for discharge of scavenger wastes. The discharge of scavenger wastes shall be made only at the location stated on said license unless the Director requires another location. The time and conditions for permissible discharge shall be as set forth on the license unless revised by the Director.

C. Application for License.

(1) An application for a license is required for the discharge of scavenger wastes into the District's sewerage system and sewers tributary thereto. Any false or misleading statement made in any such application for a license or license renewal will invalidate the license. All licenses issued by the Director will be for a term of one year. A license may be suspended or revoked at any time by the Director.

(2) All acts performed in connection with the license shall be subject to rules and regulations of the County Sewer District and all local and general laws, ordinances and regulations which are now or may come into effect. Such acts shall also be subject to inspection by the Director or his representatives.

SECTION 260-16. ENFORCEMENT AND PENALTIES FOR OFFENSES

A. Enforcement Response Plan

The Enforcement Response Plan, kept on file at the District, is a step-by-step outline of the required procedures to be followed to identify, document, and respond to violations by Users of the POTW. All

violations by Users of the POTW shall be subject to an appropriate enforcement response. The Enforcement Response Plan shall be reviewed at least every five years.

The remedies provided for in this Local Law are not exclusive. The Director may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the County's Enforcement Response Plan. However, the Director may take other action against any User when the circumstances warrant. Further, the Director is empowered to take more than one enforcement action against any noncompliant User.

B. Administrative Remedies

All administrative remedies shall be applicable to any action that violates this Local Law, any Rules and Regulations or Standard Specifications adopted by the Commission, the Fats Oil and Grease Control Plan as approved by the Commission, or any permit at the discretion of the Director.

(1) Notification of Violation

Whenever the Director finds that any User is in violation of any provision of Sections 260-10 to 260-15 inclusive or of §260-17 or §260-18 of this Local Law, the rules and regulations as adopted by the County Board of Supervisors, Standard Specifications or the Fats Oils and Grease Control Plan as adopted by the Commission, the terms and conditions of any Wastewater Discharge Permit or Industrial Pretreatment Program Requirements, or license or order, the Director shall serve upon such person a written notice stating the nature of the violation. Within ten (10) calendar days of the date the Director mails the notice, the User must submit an explanation of the cause of the violation and a plan for the satisfactory correction and prevention thereof to the Director. The correction and prevention plan shall include specific actions to address the violation(s). An administrative order may not extend the deadline for compliance established for a Pretreatment Standard or requirement, nor does an administrative order relieve the User of liability for any violation, including any continuing violation.

(2) Consent Orders

The Director is empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for the noncompliance. Such orders shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as an administrative order.

(3) Administrative Orders

If the Director finds that a User has either violated or continues to violate this Local Law, a permit or a Consent Order issued thereunder, the Director may issue an Administrative Order to the User responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued, severed and abated unless the violation is corrected and there is no reoccurrence of the violation. Administrative Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

The User may, within fifteen (15) calendar days of date of such order, petition the Director to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Director by registered mail. After proper review and any investigation deemed appropriate, the Director shall then:

(a) Deny the request to modify or suspend the order;

(b) Modify or suspend the order; or

(c) Order the petitioner to show cause in accordance with § 260-16(B)(8) of this Local Law and may as part of the show cause notice request the User to supply additional information.

(4) Fines

Notwithstanding any other section of this Local Law, any User who is found to have violated, or found to be in noncompliance with, any provision of this Local Law, a wastewater discharge permit, a Consent Order or an Administrative Order issued hereunder, shall be fined in an amount not to exceed one thousand dollars ($1,000.00) per violation per for each day the noncompliance occurs or continues to occur. Each day of noncompliance shall be deemed a separate and distinct violation for each violation of any provision of this Local Law, permit, Consent Order, or Administrative Order.

The User may, within fifteen (15) calendar days from the date on the Director's notice of such fine, petition the Director to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Director by registered mail. After appropriate review, the Director shall then:

(a) Deny the request to modify or suspend the fine;

(b) Modify or suspend the fine; or

(c) Order the petitioner to show cause in accordance with § 260-16(B)(8) and may, as part of the show cause notice, request the User to supply additional information.

(5) Cease and Desist Orders

(a) When the Director finds that a User has violated or continues to violate this Local Law, any permit, Consent Order, or Administrative Order issued hereunder, the Director may, as authorized by the Sewer Commission, issue a Cease and Desist for all such violations and direct those Persons not in compliance to:

(i) Comply forthwith; and

(ii) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.

(b) The User may, within fifteen (15) calendar days from the date the Director mails notification of such order, petition the Director to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Director by registered mail. After appropriate review, the Director shall then:

(i) Deny the request to modify or suspend the order;

(ii) Modify or suspend the order; or

(iii) Order the petitioner to show cause in accordance with §260-16(B)(8) and may as part of the show cause notice request the User to supply additional information.

(6) Termination of Permit

(a) The permit of any User that:

(i) violates the conditions of any permit issued pursuant to this Local Law;

(ii) fails to accurately report the wastewater constituents and characteristics of its discharge;

(iii) fails to report significant changes in operation or wastewater constituents and characteristics;

(iv) refuses reasonable access to its premises for the purpose of inspection, monitoring, or sampling; or who

(v) violates any Consent, Administrative, Cease and Desist, or any other order issued pursuant to this Local Law;

shall be subject to termination.

(c) Industrial Users not in compliance with any permit, order, any provision of this Local Law or any other law, will be notified, by registered mail, of the termination of their wastewater permit.

The User may, within fifteen (15) calendar days from the date the Director mails such notification, petition the Director to permit continued use of the POTW by the User. Such petition shall be in written form and shall be transmitted to the Director by registered mail. After appropriate review, the Director shall then:

(i) Deny the request for continued use of the POTW; or

(ii) Order the petitioner to show cause in accordance with Section 260-16(B)(8) and may as part of the show cause notice request the User to supply additional information.

(7) Show Cause Hearing

The Director may order any User appealing the imposition of administrative remedies to show cause before the Commission why the particular action should not be taken. The order to show cause shall specify the time and place of the hearing, a description of the violation, the enforcement action taken or to be taken, the reasons for such action, and the authority under which such action is taken. The notice of hearing shall be served at least ten (10) calendar days before the commencement of the hearing in accordance with § 260-16(B)(11) of this Article.

The Commission may conduct the hearing or may designate any of their number or any officer or employee of the County to conduct the hearing.

The Commission or its designee shall have the authority to:

(a) Issue, in the name of the County, notices, subpoenas requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings;

(b) Take and examine evidence;

(c) Take sworn testimony; and

if the Commissioners' designee conducts the hearing, such designee shall also

(d) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Commission for action thereon.

After the Commission has reviewed the evidence, testimony, report and recommendations of the hearing officer, it may order the User to comply with the Director's order and/or fine, modify such order or fine, or vacate the order or fine.

(8) Review by Board of Supervisors

The Saratoga County Board of Supervisors or its designee shall have authority to review decisions and orders of the Commissioner made pursuant to this Section.

Review by the Board of Supervisors must be requested in writing within ten (10) calendar days of service of the decision and order upon the User. User shall serve upon the Board of Supervisors and the Commission a copy of the Notice of Violation, order of the Director, and decision and order of the Commission together with a clear and concise statement of the errors claimed to have been made by the Commission.

The Board of Supervisors or its designee shall proceed to make its determination within thirty (30) calendar days of receipt of a request for review. Review by the Board of Supervisors shall not stay the order of the Commission.

The Board of Supervisors may by resolution enact procedures for hearing and determining appeals to it under this Article.

(9) Failure of User to Petition the Director

In the event the Director issues any administrative order, terminates the User's permit, or imposes any fine as set forth in this article, and the User fails, within the designated period of time set forth, to petition the Director, as provided in appropriate sections of this Article, the User shall be deemed in default and its rights to contest the decision, order or fine shall be deemed waived.

(10) Notice

The notices, orders, petitions, or other notification which the User or Director shall desire or be required to give pursuant to any sections of this Local Law shall be in writing and shall be served personally or sent by certified mail or registered mail, return receipt requested, postage prepaid, and the notice, order, petition, or other communication shall be deemed served upon its mailing as provided herein. Any notice, administrative order, or communication mailed to the User pursuant to provisions of this Local Law shall be mailed to the User at the User's billing address. Any notice, petition, or other communication mailed to the Director shall be addressed and mailed to the Sewer District's offices at 1002 Hudson River Road, P.O. Box 550, Mechanicville, New York 12118.

(11) Right to Choose Multiple Remedies

The Director shall have the right, within the Director's sole discretion, to utilize any one or more appropriate administrative remedies set forth in this Article. The Director may utilize more than one administrative remedy established pursuant to this Article, and the Director may hold a hearing combining more than one enforcement action.

C. Judicial Remedies

(1) Civil Actions For Penalties

Any Person who violates any of the provisions of or who fails to perform any duty imposed by this Local Law, or any order or determination of the Director promulgated under this Law, or the terms of any permit issued hereunder, shall be liable to the County for a civil penalty not to exceed one thousand dollars ($1,000) for each such violation, to be assessed after a hearing (unless the User waives the right to a hearing) held in conformance with the procedures set forth in this Article. Each violation shall be separate and distinct violation, and in the case of continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought in the name of the County by the County Attorney, or his designated attorney, as authorized by the Chairman of the Board of Supervisors upon recommendation of the Commission or its designee, in any court of competent jurisdiction giving preference to courts local to the County. In addition to the above described penalty, the County may recover all damages incurred by the County from any persons or Users who violate any provisions of this Local Law, or who fail to perform any duties imposed by this Local Law or any administrative order or determination of the County promulgated under this Local Law, or the terms of any permit issued hereunder. In addition to the above described damages, the County may recover all reasonable attorney's fees incurred by the County in enforcing the provisions of this Article, including reasonable attorney's fees incurred in any action to recover penalties and damages, and the County may

also recover court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses.

In determining the amount of civil penalty, the Director shall take into account all relevant circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other relevant factors as justice may require.

Such civil penalty may be released or compromised by the Commission before the matter has been referred to the County Attorney, and where such matter has been referred to the County Attorney, any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the County Attorney, with the consent of the Chairman of the Board of Supervisors upon recommendation of the Commission.

(2) Court Orders

In addition to the power set forth in this Article, the Director shall have the power, to seek an order:

(a) Suspending, revoking, or modifying the User's Wastewater Discharge Permit, or

(b) Enjoining the violator from continuing the violation.

Any such court order shall be sought in an action brought by the County Attorney, as authorized by the Board of Supervisors upon recommendation of the Commission or its designee, in the name of the County on behalf of the District, in any court of competent jurisdiction giving precedence to courts local to the County.

The County Attorney, as authorized by the Board of Supervisors upon recommendation of the Commission, shall petition the Court to impose, assess, and recover such sums imposed according to this Section.

(3) Criminal Penalties

Any person who willfully violates any provision of this Local Law or any final determination or administrative order of the Director made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars ($500) nor more than One Thousand Dollars ($1,000), or imprisonment not to exceed one (1) year or both. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

Any User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Local Law, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Local Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not more than One

Thousand Dollars ($1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

(4) Additional Injunctive Relief

Whenever a User has violated or continues to violate the provisions of this Local Law or permit or order issued hereunder, the County Attorney, as authorized by the Chairman of the Board of Supervisors upon recommendation of the Commission or its designee, may petition the Court, in the name of the County, for the issuance of a temporary, preliminary and/or permanent injunction which restrains the violation of, or compels the compliance with, any order or determination made thereunder by the Director.

(5) Summary Abatement

Notwithstanding any inconsistent provisions of this Local Law, whenever the Director finds, after investigation, that any User is causing, engaging in, or maintaining a condition or activity which, in the judgment of the Director, presents an imminent danger to the public health, safety, or welfare, or to the environment, threatens to interfere with the operation of the POTW, or is likely to result in severe damage to the POTW or the environment, and it therefore appears to be prejudicial to the public interest to allow the condition or activity to go unabated until notice and an opportunity for a hearing can be provided, the Director may, without prior hearing, order such User to discontinue, abate or alleviate such condition or activity. Such order shall be in writing and shall be delivered personally or by fax mail to User's residence, place of business, or billing address, or, if such method of delivery is not practicable, User may be notified of the contents of said order by telephone and a copy of said order shall be mailed forthwith to User's billing address. User shall immediately comply with the Director's order and discontinue, abate or alleviate the offending condition or activity. Where service of the order to cease and desist is impracticable, or in the event User fails or refuses to comply with the order, the Director may take other appropriate action to abate the violating condition. User shall be afforded an opportunity to be heard in accordance with the provisions of this Article not more than fifteen (15) days following service of the order or other emergency action taken by the Director.

If the User is not within the geographic boundaries of the County the right of summary abatement to discontinue, abate, or alleviate conditions or activities shall be those prescribed in the inter-municipal agreement.

The Director and any employee of the District, acting in good faith upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of their duties to protect the public health, safety, or welfare, or to preserve the POTW or the environment.

D. Miscellaneous

(1) Delinquent Payments

Any payment due to the District, the County, or any Department thereof, pursuant to any Article or Section of this Local Law, that remains due and unpaid, in whole or in part, for a period of more than thirty (30) calendar days from the date of billing by the County, shall

constitute a default, and there shall be added to the entire balance of the original amount due, a penalty equal to one per cent (1%) per month of the unpaid balance, retroactive to the date of the original billing.

In the event any sewer taxes, assessments, or other service charges are delinquent for a period of at least sixty (60) calendar days as of December 15 of any calendar year, the Director shall report the names of the defaulting persons to the County Administrator and the County Treasurer on or before December 15 of the same year. The County Treasurer is hereby directed to add the entire amount of the sewer tax, assessment, or other service charge which shall be in default, plus penalty and interest, as provided for in this Law, to the real property taxes due and owing to County in the next succeeding year, and the County Treasurer is directed to collect the same in the same manner as real property taxes due and owing to the County are collected.

If sewer or other service charges have not been paid by a User and are delinquent, and the violator is not a resident of the County, or is located outside the geographical boundaries of the County, then the County Attorney is authorized to seek recovery of charges, including punitive damages, in a court of competent jurisdiction or make arrangements with the appropriate county where the User is located to add the amount of the sewer or other charges which shall be in default, plus penalty and interest, as provided for in this Local Law, to the real property taxes due to the County in the next ensuing year.

(2) Performance Bonds

The Director may decline to reissue a permit to any User which has failed to comply with the provisions of this Local Law or any order or previous permit issued hereunder unless such User first files with it a satisfactory bond, payable to the POTW, in a sum not to exceed a value determined by the Director to be necessary to achieve consistent compliance.

(3) Liability Insurance

The Director may decline to reissue a permit to any User which has failed to comply with the provisions of this Local Law or any order or previous permit issued hereunder, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair POTW damage caused by its discharge.

(4) (RESERVED)

(5) Public Notification

The Director shall publish a public notice, in the official County newspapers designated pursuant to County Law § 214, of Users which were in significant non-compliance of applicable Pretreatment Standards or requirements since the publication of the last such notice. The frequency of such notices shall be at least once per year. For purposes of this Section, the term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (c), (d) or (h) of this Section) and shall mean:

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in § 260-13;

(b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by § 260-13 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

(c) Any other violation of a Pretreatment Standard or Requirement as defined by § 260-13 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Director determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

(d) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;

(e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(f) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to accurately report noncompliance; or

(h) Any other violation(s), which may include a violation of Best Management Practices, which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 260-17. POWERS AND AUTHORITY OF INSPECTORS

A. The Director, EPA, NYSDEC or their representatives with proper credentials may enter upon private lands for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Local Law.

B. The Director or the Director's designated representative(s) shall be allowed to inspect and copy industry records that pertain to the pretreatment and discharge of all wastes discharged to the

District. Records shall be accessible within a reasonable time after the request is made by the District.

C. While performing the necessary work on private lands referred to in this section above, the Director or the Director's duly authorized representative(s) shall observe all safety rules established by the owner and/or occupant of the premises.

D. Refusal to permit the entry upon private lands required to perform the necessary work referred to above shall be punishable by such penalties as may be prescribed under § 260-16 of this Local Law.

E. Where a company or premises has security measures in force which require proper identification and clearance before entry into said company or premises, such company or premises shall either make the necessary arrangements with its security guards to allow District employees immediate access to the locations necessary for the purpose of inspection, observation, measurement, sampling and testing, or the company or premises shall install, outside the premises or security limits, suitable control manholes, approved by the Director, which will at all times be accessible to District employees.

SECTION 260-18. PROTECTION FROM DAMAGE

Any persons who maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenances or equipment which is part of the District sewerage system or public sewer tributary thereto shall be subject to prosecution pursuant to the applicable provisions of the Penal Law of the State of New York as well as being in violation of this Local Law.

SECTION 260-19. CONFLICTS

A. In the event of any conflict between a participating municipality and/or Users and the Director, the matter shall be reviewed by the Commission, and an opportunity shall be granted to the municipality to present its position to the Commission.

B. In the event of any conflict between participating municipalities and/or Users and the Commission concerning the interpretation of any part of this Local Law, the determination of the Commission shall be final and conclusive unless reversed by order of a court in a proceeding commenced pursuant to Civil Practice Law and Rules Article 78.

SECTION 260-20. RATES

The Saratoga County Sewer District No. 1, subject to the approval of the Board of Supervisors, shall at least biannually review its schedule of rates and charges.

A. Town and County tax bills and the City of Mechanicville City and County tax bills shall be utilized whenever possible for the billing of the annual User charge for the trunking and treatment of sewage. The City of Saratoga Springs shall be considered a single User and shall be billed annually by the District for the total sum due from the municipality for the trunking, treatment and collection of the sewage.

B. The District may bill separately for the collector sewerage charge, which charge may be paid in installments as determined by the Commission and the Board of Supervisors.

C. Penalties for unpaid User and collector charges shall be levied at the rate of one per cent (1%) per month for each month or portion thereof that the bill is unpaid after the last day fixed for payment. Bills remaining unpaid as of November 1 of each year will also be subject to the enforcement and collection procedures as set forth in New York County Law§ 266.

SECTION 260-21. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its specific application.

SECTION 260-22. EFFECTIVE DATE

This Local Law shall take effect on July 1, 2026, subject to its filing in the Office of the Secretary of State of the State of New York.

SECTION 260-23. TERMINATION OF LOCAL LAW NO. 1 OF 2020

Local Law No. 1 of 2020 shall terminate on the date this Local Law becomes effective.

SECTION 260-24. INCORPORATION INTO CODE OF SARATOGA COUNTY

Upon its effective date as provided in §260-22 herein, this Local Law shall become incorporated into the Code of Saratoga County as Article III. Sewer Use of Chapter 260. Sewer District No. 1.