

Resolution No. 135 July 16, 2021

By Supervisors Campbell, O'Brien, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward, Griffith

TITLE: To Adopt Adirondack Community College Budget

WHEREAS, the College Administration of Adirondack Community College have presented a tentative budget approved by the College Board of Trustees for the college fiscal year beginning September 1, 2021 to August 31, 2022 in the amount of \$30,464,646 operating budget and \$2,245,774 restricted grant budget for a total of \$32,710,420, and

WHEREAS, Washington County's share is \$1,581,680, and

WHEREAS, a public hearing on said tentative budget of Adirondack Community College in the amount of \$30,464,646 operating budget and \$2,245,774 restricted grant budget for a total of \$32,710,420 was held on the 16th day of July, 2021; now therefore be it

RESOLVED, that the tentative budget be and the same adopted and approved as the budget for Adirondack Community College for the fiscal year beginning September 1, 2021 to August 31, 2022; and be it further

RESOLVED, that Washington County's share of \$1,581,680 be incorporated into the 2022 County budget to be adopted in November; and be it further

RESOLVED, that the Washington County Treasurer be and he hereby is authorized to pay the Treasurer of Adirondack Community College Washington County's share in the amount of \$1,581,680 prior to August 31, 2022.

BUDGET IMPACT STATEMENT: The college is sponsored by both Washington and Warren Counties. The ACC budget includes a 2% increase in the sponsor's share, the split based on Fall 2019 actual enrollments. If the budget is passed, the county's total contribution to Adirondack Community College will be \$1,581,680 and will be placed in the 2022 budget. This is an increase of \$31,013 compared to last year's contribution.

Resolution No. 136 July 16, 2021
By Supervisor O'Brien

TITLE: To Amend Washington County Title VI Plan as Adopted by Resolution No. 101 of 2017

WHEREAS, it is the policy of Washington County that no person shall, on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and

WHEREAS, Washington County will make every effort to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and

WHEREAS, by Resolution No. 101 of 2017, the Board of Supervisors adopted the Washington County Title VI Plan, and

WHEREAS, the County has received notice from NYS Department of Transportation (NYSDOT) that additional nondiscrimination policy statements covering Equal Employment Opportunity Disadvantaged Business Enterprises and Minority and Women Owned Businesses must be adopted and submitted to NYSDOT by August 18 in compliance with their submitted templates, and

WHEREAS, in order to obtain federal funding for highway projects the County must have these policy statements in place, and

WHEREAS, these policy statements are in compliance with the County's adopted Title VI plan, and

WHEREAS, these Policy statements were provided to the members of the Board of Supervisors prior to the meeting of this date for review; now therefore be it

RESOLVED, that Washington County hereby adopts said policy statements covering Equal Employment Opportunity Disadvantaged Business Enterprises and Minority and Women Owned Businesses; and be it further

RESOLVED, that the Chairman of the Board is authorized to sign said policy statements and the County Administrator is authorized to submit the same to NYSDOT.

BUDGET IMPACT STATEMENT: Minor costs associated with issuance of annual public notices as outlined in plan.

Resolution No. 137 July 16, 2021
By Supervisors Clary, Campbell, Skellie, Ferguson, Losaw, Ward, Wilson

TITLE: Appoint and Reappoint Members to the Washington County Youth Advisory Board

WHEREAS, appointments and reappointments are needed on the Washington County Youth Advisory Board, and

WHEREAS, the Health and Human Services Committee recommends the following appointments and reappointments as indicated herein; now therefore be it

RESOLVED, that the following be appointed/reappointed to the Washington County Youth Advisory Board for a term expiring December 31, 2023:

Appointed:

Drew Carson, Town of Kingsbury
Brandon Chenier, Town of Granville
Kaylee Osterhautd, Town of Kingsbury
Emily Powers, Town of Granville

Reappointed:

J. Anthony Jordan, Town of Jackson
Kathy Jo McIntyre, Town of Granville
Chrys Nestle, Town of Hartford

BUDGET IMPACT STATEMENT: None.

Resolution No. 138 July 16, 2021

By Supervisors Skellie, Rozell, Campbell, Haff, Hicks, Fedler, Shaw, Ferguson, Wilson

TITLE: Resolution Type II Action Determination Washington County Sewer District #2 Waste Water Treatment Plant Improvements 17 Cortland Street, Fort Edward, NY 12828

WHEREAS, the Washington County Sewer District #2 (WCSD #2) Waste Water Treatment Plant (WWTP) is a vital component of critical public works infrastructure to residents, businesses and visitors, and

WHEREAS, the WWTP was constructed in 1986 and has served Washington County Sewer District #2 for 34 years, and

WHEREAS, WCSD #2 is interested in improving the energy and operating efficiency in their facilities, and

WHEREAS, the planned WWTP improvements will reduce the district's energy consumption and operating expenses, while also positively impacting the environment by reducing its carbon footprint, and

WHEREAS, WCSD #2 conducted an energy efficiency study to make an informed implementation decision based on energy, operational and maintenance savings, and

WHEREAS, the proposed project includes ten (10) improvements to the existing WWTP, all of which will occur on previously disturbed lands within the facility's existing boundary, and

WHEREAS, the proposed project is an action under the New York State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, WCSD #2 must consider the environmental significance of its actions, to include social and economic factors, during discretionary decision-making, and

WHEREAS, pursuant to 6 NYCRR §617.5(b)(3) actions that are retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure are deemed to be "Type II" actions under SEQRA requiring no further environmental review, and

WHEREAS, the commissioners of the WCSD #2 find that the proposed project meets the requirements of 6 NYCRR §617.5(b)(3) such that no further environmental review of the proposed project is required; now therefore be it

RESOLVED, that Washington County Sewer District #2, in accordance with SEQRA, hereby determines that the proposed project, energy efficiency and operational improvements at the existing WWTP at 17 Cortland Street, Fort Edward, New York, 12828, is a Type II Action under SEQRA pursuant to 6 NYCRR §617.5(b)(3), requiring no further SEQRA review.

BUDGET IMPACT STATEMENT: None for this resolution.

Resolution No. 139 July 16, 2021
By Supervisor Hall

TITLE: In Support of the Application by the Town of Minerva on Behalf of Watershed Municipalities to the New York State Department of State Local Waterfront Revitalization Program for the Development of a Nine Element Watershed Plan for the Upper Hudson River

WHEREAS, portions of Washington County are located in the Upper Hudson River Watershed including: the Towns of Argyle, Cambridge, Easton, Fort Edward, Greenwich, Hartford, Hebron, Jackson, Kingsbury, Salem, and White Creek; and the Villages of Argyle, Cambridge, Fort Edward, Greenwich, and Hudson Falls, and

WHEREAS, the development of a Nine Element Plan is a recommendation of the Upper Hudson River Watershed Management Plan, and

WHEREAS, an approved Nine Element Plan will help improve the water quality of the Upper Hudson River and will assist watershed municipalities when applying for State and Federal grant funds, and

WHEREAS, the Town of Minerva has agreed to sponsor the application to the New York State Department of State Local Revitalization Program for a Nine Element Watershed Plan for the Upper Hudson River; now therefore be it

RESOLVED, that the Washington County Board of Supervisors supports the application by the Town of Minerva on behalf of watershed municipalities to the New York State Department of State Local Waterfront Revitalization Program for the development of a Nine Element Watershed Plan for the Upper Hudson River.

BUDGET IMPACT STATEMENT: None.

Resolution No. 140 July 16, 2021

By Supervisors Campbell, O'Brien, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward, Griffith

TITLE: RESOLUTION APPROVING (A) THE PAYMENT TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY AND CHPE LLC IN CONNECTION WITH THE CHPE LLC PROJECT AND (B) THE PAYMENT TERMS AND CONDITIONS OF CERTAIN HOST COMMUNITY BENEFIT AGREEMENTS TO BE ENTERED INTO BETWEEN COUNTIES OF WARREN AND WASHINGTON CIVIC DEVELOPMENT CORPORATION AND CHPE LLC IN CONNECTION WITH THE CHPE LLC PROJECT

BE IT ENACTED by the Washington County Board of Supervisors, Fort Edward, New York (the "County Board"), as follows:

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the "Enabling Act") and Chapter 862 of the 1971 Laws of New York, as amended, constituting Section 890-c of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act"), the Board of Supervisors of Warren County and the Board of Supervisors of Washington County have heretofore appointed the Chairman and members of Counties of Warren and Washington Industrial Development Agency (the "Agency") and have duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act, and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase, and

WHEREAS, CHPE LLC, a New York State limited liability company (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of Company, said Project consisting of the following: (A)(1) the acquisition of an interest in the Company's interest in certain upland parcels of land and in the Company's interim permit and easement issued or to be issued by the New York State Office of General Services ("OGS") in relation to submerged State-owned land, such upland and submerged lands located in the Towns of Putnam, Dresden, Whitehall, Fort Ann, Hartford, Kingsbury and Fort Edward, and Villages of Whitehall, Fort Ann and Fort Edward, Washington County, New York (collectively, the "Land"), (2) the construction, installation and equipping on or under the Land of a fully-buried, up to 1,250-megawatt ("MW") high-voltage direct current ("HVDC") electric transmission line and related infrastructure (collectively, the "Improvements") and (3) the acquisition and installation thereon and therein of certain related machinery and equipment, including but not limited to, two (2) five-inch diameter HVDC transmission cables (collectively, the "Equipment") (the Land, the Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to be used and operated by the Company as a portion of an electric power transmission line from the U.S.-Canada border to New York City; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real

property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency, and

WHEREAS, in connection with the undertaking of the Project, the Company will execute and deliver (A) a certain payment in lieu of tax agreement (the “PILOT Agreement”) by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility, and (B) certain host community benefit agreements (collectively, the “Host Community Benefit Agreements,” and, individually, a “Host Community Benefit Agreement”) by and between the Counties of Warren and Washington Civic Development Corporation (the “CDC”) and the Company, pursuant to which the Company will agree to pay certain host community benefit payments to the CDC pursuant to each Host Community Benefit Agreement for the benefit of (1) the Towns of Putnam, Dresden, Whitehall, Fort Ann, Hartford, Kingsbury and Fort Edward, (2) Washington County, (3) the Putnam Central School District, the Whitehall Central School District, the Fort Ann Central School District, the Hudson Falls Central School District and the Fort Edward Central School District, and (4) the Villages of Whitehall, Fort Ann and Fort Edward, and

WHEREAS, the Agency desires that the County of Washington, through its County Board, as one of the affected tax jurisdictions with respect to the Project Facility, adopt a resolution indicating whether the County Board agrees to the terms of the (A) proposed PILOT Agreement, and (B) the proposed Host Community Benefit Agreements;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors, as follows:

Section 1. For the purpose of satisfying the requirements contained in the Agency’s Uniform Tax Exemption Policy (the “UTEP Policy”) and the Act, the County Board hereby (1) acknowledges notification of any deviation from the Agency’s UTEP Policy, (2) waives any formal notice from the Agency of any deviation from the Agency’s UTEP Policy, (3) approves the payment terms to be contained in the PILOT Agreement, as substantially described in Schedule A attached, and (4) approves the payment terms to be contained in the Host Community Benefit Agreements, as substantially described in Schedule A attached.

Section 2. The Chairman of the Board of Supervisors of Washington County is hereby authorized, on behalf of Washington County, to execute and deliver a consent to the PILOT Agreement for the purpose of evidencing its approval to the proposed payment terms of the PILOT Agreement, said PILOT Agreement to contain the terms described in Schedule A attached, with such changes, variations, omissions and insertions as the Chairman of the Board of Supervisors of Washington County shall approve, the execution thereof by the Chairman of the Board of Supervisors of Washington County to constitute conclusive evidence of such approval.

Section 3. The Chairman of the Board of Supervisors of Washington County is hereby further authorized, on behalf of Washington County, to execute and deliver a consent to the Host Community Benefit Agreement relating to the County for the purpose of evidencing its approval to the proposed payment terms of the Host Community Benefit Agreement, said Host Community Benefit Agreement to

contain the terms described in Schedule A attached, with such changes, variations, omissions and insertions as the Chairman of the Board of Supervisors of Washington County shall approve, the execution thereof by the Chairman of the Board of Supervisors of Washington County to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of Washington County are hereby authorized and directed for and in the name and on behalf of Washington County to do all acts and things required or provided for by the applicable provisions of this Resolution in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement and the Host Community Benefit Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 5. This resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None.

Resolution No. 141 July 16, 2021

By Supervisors Campbell, O'Brien, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward, Griffith

TITLE: To Award Bid for Replacement of Air Handling Units 1 and 3 at Washington County Law Enforcement Center

WHEREAS, there is a need to replace two air handling units (1 and 3) at the County's Law Enforcement Center, and

WHEREAS, the County contracted with ME Engineering to conduct the engineering and prepare the bid documents for this replacement, and

WHEREAS, bid #2021-20 was released on May 13, 2021, and

WHEREAS, two (2) responses were received as follows:

T. McElligot, Inc. Troy, NY	\$426,000
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John W. Danforth, Inc. Halfmoon, NY	\$378,000
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; now therefore be it

RESOLVED, Bid #2021-20 for the replacement of air handling units 1 and 3 at the County's Law Enforcement Center is hereby awarded to John W. Danforth, Inc. of Halfmoon for the amount of \$378,000; and be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign a contract with John W. Danforth, Inc. of Halfmoon for the scope of services outlined in the bid documents in a form to be reviewed and approved by the County Attorney.

BUDGET IMPACT STATEMENT: \$500,000 set aside in the project budget.

Resolution No. 142 July 16, 2021

By Supervisors Campbell, O'Brien, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward, Griffith

TITLE: To Award Bid for 2021-19, 2020 or Newer Mid-Size Vehicles and Amend Budget

WHEREAS, there is a need to replace vehicles in the car pool, and

WHEREAS, bid #2021-19 for 2020 or Newer Mid-Size Vehicles was opened on May 20, 2021, and

WHEREAS, response received as follows:

North Shore Chevrolet	2022	Trailblazer AWD	1-3 units	\$21,781.40
Chevrolet of Smithtown				
St. James, NY				

; now therefore be it

RESOLVED, Bid #2021-19 for the 2020 or newer midsize vehicles is hereby awarded to North Shore Chevrolet, Chevrolet of Smithtown for the amount so stated; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

General Fund:

Increase Appropriation:

A.6010.2070	Equip. Vehicles – DSS	65,345
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Increase Revenue:

A.6010.3610	State Aid for Social Services Admin.	16,336
A.6010.4610	Federal aid for Social Services Admin.	32,673
A.9900.5031	Interfund Revenues	<u>16,336</u>
		65,345

Car Pool Fund:

Increase Appropriation:

CM.5135.9901.06	Interfund Transfer-General Fund	16,336
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Increase Appropriated Fund Balance:

CM.599	Appropriated Fund Balance	16,336
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; and be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to sign those documents necessary for purchase in a form to be reviewed and approved by the County Attorney.

BUDGET IMPACT STATEMENT: Appropriates a portion of the anticipated surplus in the Car Pool fund for the local share of the 2021 Department of Social Services vehicle purchase.

Resolution No. 143 July 16, 2021

By Supervisors Campbell, O'Brien, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward, Griffith

TITLE: To Authorize Purchase of Temporary Easement and Right of Way for CR61 Bridge Over the Battenkill (Shushan Bridge)

WHEREAS, the County is undertaking a federally funded project to replace the County Route 61 Bridge over the Battenkill – Shushan Bridge, and

WHEREAS, this project will require the purchase of a new right of way as well as a temporary easement for the work, and

WHEREAS, the County has reached an agreement with the Covered Bridge Association regarding these purchases, and

WHEREAS, documents to acquire the ROW and temporary easements will need to be signed by the Chairman; now therefore be it

RESOLVED, the County Treasurer is hereby authorized to disburse the amount of \$800.00 to pay for the expenses associated with the ROW and easement purchase; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute those documents necessary in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: Costs contained within the Capital Project No. 126 – County Route 61 Bridge over Battenkill budget.

Resolution No. 144 July 16, 2021
By Supervisor Skellie

TITLE: To Award Bid for PIN 1761.52 CR 35 and CR 36 Pavement Preservation

WHEREAS, a request for bids was issued for PIN 1761.52 CR 35 and CR 36 Pavement Preservation, and

WHEREAS, bids were opened on July 9, 2021 and the following bids were received:

Peckham Road Corp. Queensbury, NY	\$1,777,800.91
Peter Luizzi & Bros. Watervliet, NY	\$1,899,873.60
New Castel Paving Troy, NY	\$2,282,246.33

, and

WHEREAS, after review, the Department of Public Works recommends that the award be made to the lowest bidder, Peckham Road Corp.; now therefore be it

RESOLVED, that the bid for PIN 1761.52 CR 35 and CR 36 Pavement Preservation be awarded to Peckham Road Corp. of Queensbury in the amount so specified contingent upon concurrence by the NYS Department of Transportation; and be it further

RESOLVED, the Chairman of the Board of Supervisors or Superintendent of Public Works as may be appropriate, is hereby authorized to sign those documents necessary for award in a form to be reviewed and approved by the County Attorney.

BUDGET IMPACT STATEMENT: Funds contained within capital project.