



ANTHONY JASENSKI
CHAIR OF THE LEGISLATURE

GEOFFREY T. HALL
CLERK OF THE LEGISLATURE

County of Schenectady

NEW YORK

SCHENECTADY COUNTY LEGISLATURE

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July 11, 2023 - 7:00 PM

LEGISLATIVE CONFERENCE

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Presentation of Ceremonial Resolutions
6. Presentation of Awards
7. Meeting of the Rules Committee
8. Privilege of the Floor
9. Communications from the Chair

REGULAR MEETING AGENDA

10. Call to Order of Regular Monthly Meeting
11. Roll Call
12. Approval of the Minutes
13. Reports
14. Communications
15. Reports from Standing Committees
16. Certificates and Awards
17. Ceremonial Resolutions
18. Resolution 124-23 Legislator Frisoni (CJCA7) A RESOLUTION REGARDING AMENDMENTS TO THE OPERATING BUDGET OF THE SCHENECTADY COUNTY OFFICE OF ASSIGNED COUNSEL
19. Resolution 125-23 Legislator Pratt (ECREP13) A RESOLUTION TO ACCEPT MONIES FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE MUNICIPAL ZERO EMISSION VEHICLE REBATE PROGRAM
20. Resolution 126-23 Legislator Hughes (EDP11) A RESOLUTION ADOPTING LOCAL LAW NO. B OF 2023
21. Resolution 127-23 Legislator Pratt (EL3) A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE ADOPTION OF THE SCHENECTADY COUNTY COMMUNITY COLLEGE

OPERATING BUDGET FOR THE PERIOD FROM
SEPTEMBER 1, 2023 TO AUGUST 31, 2024

22. Resolution 128-23 Legislator Ostrelich (HHHS16) A RESOLUTION ACCEPTING MONIES FROM THE HEALTH RESEARCH INC. /NYS DEPARTMENT OF HEALTH AND TO CREATE AND ELIMINATE CERTAIN POSITIONS AT THE SCHENECTADY COUNTY PUBLIC HEALTH SERVICES
23. Resolution 129-23 Legislator Frisoni (LCS8) A RESOLUTION CREATING AND ELIMINATING CERTAIN POSITIONS AT THE SCHENECTADY COUNTY PUBLIC LIBRARY
24. Resolution 130-23 Legislator Frisoni (LCS9) A RESOLUTION TO CREATE AND ELIMINATE CERTAIN POSITIONS AT THE OFFICE OF SENIOR AND LONG-TERM CARE SERVICES
25. Resolution 131-23 Legislator Ruzzo (NR2) A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CAPITAL REGION LAND BANK AND THE SCHENECTADY METROPLEX DEVELOPMENT AUTHORITY FOR THE DEMOLITION OF VARIOUS BUILDINGS IN THE CITY OF SCHENECTADY
26. Resolution 132-23 Legislator Patierne (PFTI18) A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION FOR MAINTENANCE OF ELEVATORS AT THE GLENDALE NURSING HOME
27. Resolution 133-23 Legislator Patierne (PFTI19) A RESOLUTION REGARDING BUDGET AMENDMENTS FOR THE COURTHOUSE ACCESSIBLE RESTROOM RENOVATION PROJECT
28. Resolution 134-23 Legislator Patierne (PFTI20) A RESOLUTION AUTHORIZING THE COUNTY OF SCHENECTADY TO ENTER INTO A LICENSE AGREEMENT WITH NATIONAL GRID REGARDING THE ALPLAUS SIDEWALK PROJECT
29. Resolution 135-23 Legislator Frisoni (PFTI21) A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN AMENDMENT TO A GRANT OF EASEMENT WITH HIGHBRIDGE BROADWAY, LLC
30. Resolution 136-23 Legislator Fields (WM7) A RESOLUTION AMENDING INTERNAL POLICIES AND PROCEDURES FOR THE PROCUREMENT OF BID AND NON-BID GOODS AND SERVICES

31. Resolution 137-23

The Committee on Rules (R45) A RESOLUTION TO
AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A
LEASE AGREEMENT WITH THE EMPIRE STATE
AEROSCIENCES MUSEUM

32. Adjournment



RESOLUTION 124 -23

Sponsored by Legislator Frisoni:

A RESOLUTION REGARDING AMENDMENTS TO THE OPERATING BUDGET OF THE SCHENECTADY COUNTY OFFICE OF ASSIGNED COUNSEL

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Administrator of the Schenectady County Assigned Counsel Program by memorandum dated June 16, 2023 requests a budget modification of \$1,040,000 to fund payments to the attorneys of the assigned counsel panel; and

WHEREAS, the County Manager recommends by memorandum dated June 30, 2023 that the appropriate budgetary amendments be approved to permit the payment of assigned counsel attorneys for costs incurred in 2022 and for costs estimated to occur in 2023; now, therefore, be it

RESOLVED, that the 2023 Operating Budget be and it hereby is amended as follows:

Establish and Increase Appropriation Code by:

A31174.302501 – ILS 18B Reimbursement \$ 420,000.

Increase Appropriation Code by:

A541174.429070 – Assigned Counsel Plan \$ 1,040,000.



RESOLUTION 125 -23

Sponsored by Legislator Pratt:

A RESOLUTION TO ACCEPT MONIES FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE MUNICIPAL ZERO EMISSION VEHICLE REBATE PROGRAM

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the County Manager by memorandum dated June 30, 2023 advises that Schenectady County was recently awarded monies from the NYS Department of Environmental Conservation under its Municipal Zero Emission Vehicle Rebate Program for the County's recent purchase of two electric vehicles; and

WHEREAS, the County Manager further advises that Schenectady County is projected to receive \$15,000.00 in funding; and

WHEREAS, the County Manager recommends the acceptance of the aforesaid monies from the NYS Department of Environmental Conservation, and the approval of appropriate budgetary amendments; and

WHEREAS, acceptance of these monies and utilization of these funds needs to be reflected in a resolution of this Legislature; now, therefore, be it

RESOLVED, that the Legislature of the County of Schenectady hereby accepts the aforesaid grant monies from the NYS Department of Environmental Conservation, and authorizes the utilization of such monies for the aforesaid purposes; and, be it further

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to enter into any necessary agreements, certifications, or reimbursement requests for the

acceptance of such grant monies from the NYS Department of Environmental Conservation; and, be it further

RESOLVED, that the 2023 Operating Budget be and it hereby is amended as follows:

Establish and Increase Appropriation Code by:

A31230.391003 – Electric Vehicle Rebate \$ 15,000.



RESOLUTION 126 -23

Sponsored by Legislator Hughes:

A RESOLUTION ADOPTING LOCAL LAW NO. B OF 2023

BE IT ENACTED by the Legislature of the County of Schenectady, as follows;

WHEREAS, proposed Local Law No. B-23, entitled:

A LOCAL LAW AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE COUNTY OF SCHENECTADY

was heretofore introduced on June 13, 2023; and

WHEREAS, in accordance with the law, a public hearing upon proposed Local Law No. B-23, before this County Legislature, was duly held on the 5th day of July, 2023; and

WHEREAS, said proposed Local Law in final form has been on the desks of the members of this County Legislature since the 13th day of June, 2023, constituting a period of over seven (7) days, exclusive of Sundays; now, therefore, be it

RESOLVED, that the aforesaid proposed Local Law No. B-23 entitled:

A LOCAL LAW AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE COUNTY OF SCHENECTADY

introduced on the 13th day of June, 2023, be and the same is hereby approved and adopted as Local Law No. 2-23; and, be it further

RESOLVED, that the Operating Budget be and it hereby is amended as follows:

Increase Revenue String by:

A29710.2260 – Sale of County Property

\$ 900,000.



PROPOSED LOCAL LAW B-23

COUNTY OF SCHENECTADY

Introduced by Legislator Jasenski and Legislator Vellano:

A LOCAL LAW AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE COUNTY OF SCHENECTADY

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

Section 1: Intent and Purpose.

It is declared to be the intent and purpose of this law to enable the County of Schenectady to have the general care and control of the corporate real and personal property of the County in order to benefit the inhabitants thereof in accordance with the New York State County Law.

Section 2: Notwithstanding the provisions of section two hundred fifteen of the County Law or any other provision of law to the contrary, this Legislature hereby determines that County real property in the Town of Duanesburg as hereinafter described is no longer necessary for use by the County and that all the right, title and interest of the County in such real property shall be conveyed to Christopher Davis and Lauren Davis without public advertisement or competitive bidding.

Section 3: The parcels of real property situate in the Town of Duanesburg and County of Schenectady, State of New York, subject to this Local Law are described as follows:

Parcel 1: S/B/L 66.61-1-1.312 (9.12 acres);

Parcel 2: S/B/L 66.00-1-15 (3.30 acres); and

Parcel 3: S/B/L 66.61-1-5.1 (16.19 acres)

Section 4: The Legislature shall, by duly adopted resolution or by contract or by instruments authorized by such resolution, convey, for the consideration of nine hundred thousand (\$900,000.00) dollars, the real property, or a portion thereof, hereinbefore described for use by Christopher Davis and Lauren Davis.

Section 5: This Local Law shall become effective forty-five (45) days after its final adoption, publication and filing, subject to permissive referendum in accordance with Section twenty-four of the Municipal Home Rule Law, unless within such forty-five (45) day period there be filed with the Clerk of the Legislature of the County of Schenectady a petition protesting against such Local Law, signed and authenticated as herein required by qualified electors of the County of Schenectady, registered to vote therein at least ten (10) per centum of the total number of votes cast for governor as the last gubernatorial election in the County of Schenectady.



RESOLUTION 127 -23

Sponsored by Legislator Pratt:

A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE ADOPTION OF THE SCHENECTADY COUNTY COMMUNITY COLLEGE OPERATING BUDGET FOR THE PERIOD FROM SEPTEMBER 1, 2023 TO AUGUST 31, 2024

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, a public hearing is required by law before final adoption by the Schenectady County Legislature of a budget for the SUNY Schenectady County Community College, which is a County agency; and

WHEREAS, by section 7.04 of the Charter of the County of Schenectady, New York, at least ten (10) days advance notice is required for a public hearing on a budget; now, therefore, be it

RESOLVED, that a public hearing is hereby called, to be held at the Chambers of the Schenectady County Legislature, in the County Office Building on the 31st day of July, 2023 at 7:00 pm for the purpose of hearing all interested persons on the question of adoption of the following budget for the SUNY Schenectady County Community College:

Operational Budget to serve the operational needs of said college for the period commencing September 1, 2023 and ending August 31, 2024 not to exceed the gross amount of \$27,034,857

; and, be it further

RESOLVED, that the notice of such public hearing, including a general summary of the tentative budget, be published one (1) time in the Daily Gazette Newspaper and a copy of such notice be posted on the bulletin board on the first floor of the Schenectady County Office Building, and at centers of other municipal governments in the County, as required by law.



RESOLUTION 128 -23

Sponsored by Legislator Ostrellich:

A RESOLUTION ACCEPTING MONIES FROM THE HEALTH RESEARCH INC./NYS DEPARTMENT OF HEALTH AND TO CREATE AND ELIMINATE CERTAIN POSITIONS AT THE SCHENECTADY COUNTY PUBLIC HEALTH SERVICES

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Public Health Director by memorandum dated June 15, 2023 recommends the acceptance of grant monies from the Health Research Inc./New York State Department of Health's to strengthen the County's public health workforce and infrastructure; and

WHEREAS, the Public Health Director advises that Schenectady County is projected to receive \$720,603 over five years commencing December 1, 2022; and

WHEREAS, the Public Health Director requests that four positions of Public Health Assistant (Grade 9) be created, and that three positions of Public Health Aide (grade 7) be eliminated; and

WHEREAS, the Public Health Director further states that these changes will provide increased operational efficiency within the Office; and

WHEREAS, the Director of Human Resources by memorandum dated June 29, 2023 recommends the creation of the positions of Public Health Assistants at a CSEA grade of 9; and

WHEREAS, the Director of Human Resources anticipates that all necessary action required by the Schenectady County Civil Service Commission regarding the aforesaid positions will occur at its next meeting in July of

2023; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends the acceptance of the grant funding from the Health Research Inc./NYS Department of Health, that four positions of Public Health Assistant (grade 9) be created at the Office of Public Health Services, and that three positions of Public Health Aide (grade 7) be eliminated, and that appropriate budgetary amendments be approved; and

WHEREAS, acceptance of these monies and utilization of these funds needs to be reflected in a resolution of this Legislature; now, therefore, be it

RESOLVED, that the Legislature of the County of Schenectady hereby accepts the aforesaid grant monies from the Health Research Inc./NYS Department of Health, and authorizes the utilization of such monies for the aforesaid purposes; and, be it further

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to enter into any necessary agreements, certifications, or reimbursement requests for the acceptance of such grant monies from the Health Research Inc./NYS Department of Health; and, be it further

RESOLVED, that the following positions in the Office of Public Health Services be and they hereby are created as follows:

<u>Position</u>	<u>Grade</u>
Public Health Assistant	9
Public Health Assistant	9
Public Health Assistant	9
Public Health Assistant	9

; and, be it further

RESOLVED, that the aforesaid three positions of Public Health Aide (grade 7) in the Office of Public Health Services be and they hereby are eliminated;

and be it further

RESOLVED, that the 2023 Operating Budget be and is hereby amended as follows:

Establish and Increase Appropriation Codes by:

A514012.111 – Personnel Services – Public Health Assistant (Gr 9-1)	\$ 17,649.
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A544012.415352 – Contractual – CDC Infrastructure, Workforce, and Data	\$ 104,893.
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Establish and Increase Revenue Code by:

A44012.440107 – CDC Infrastructure, Workforce, and Data Grant	\$ 155,931.
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Establish and Increase Appropriation Codes by:

A514012.111 – Personnel Services – Public Health Assistant (Gr 9-1)	\$17,649.
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A514012.111 – Personnel Services – Public Health Assistant (Gr 9-1)	\$17,649.
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A514012.111 – Personnel Services – Public Health Assistant (Gr 9-1)	\$17,649.
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Decrease Appropriation Codes by:

A514012.111 – Personnel Services – Public Health Aide (Gr 7-1)	\$ 15,286.
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A514012.111 – Personnel Services – Public Health Aide (Gr 7-1)	\$ 15,286.
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A514012.111 – Personnel Services – Public Health Aide (Gr 7-1)	\$ 15,286.
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RESOLUTION 129 -23

Sponsored by Legislator Frisoni:

A RESOLUTION CREATING AND ELIMINATING CERTAIN POSITIONS AT THE SCHENECTADY COUNTY PUBLIC LIBRARY

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Executive Director of the Schenectady County Public Library by memorandum dated June 16, 2023 requests that a position of Public Services Manager be created, and that a position of Librarian III be eliminated; and

WHEREAS, the Executive Director further states that the creation of this position will increase stability of staffing within the Schenectady County Public Library system, and will assist with fulfilling the mission of such system; and

WHEREAS, the Director of Human Resources by memorandum dated June 26, 2023 recommends the creation of a position of Public Services Manager at classification JC-8 at the Schenectady County Public Library, and anticipates that all necessary action by the Schenectady County Civil Service Commission will occur at its next meeting on July 18, 2023; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that a position of Public Services Manager be created at the Schenectady County Public Library, that a position of Librarian III be eliminated, and that appropriate budgetary amendments be approved; now, therefore, be it

RESOLVED, that the following position at the Schenectady County Public Library be and it hereby is created as follows:

<u>Position</u>	<u>Classification</u>
Public Services Manager	JC-8

; and, be it further

RESOLVED, that the aforesaid position of Librarian III at the Schenectady County Public Library be and it hereby is eliminated; and, be it further

RESOLVED, that the 2023 Operating Budget be and it hereby is amended as follows:

Establish and Increase Appropriation Code by:

L517410.111 – Personnel Services – Public Services Manager \$ 72,150.

Decrease Appropriation Code by:

L517410.111 – Personnel Services – Librarian III \$ 66,210.



RESOLUTION 130-23

Sponsored by Legislator Frisoni:

A RESOLUTION TO CREATE AND ELIMINATE CERTAIN POSITIONS AT THE OFFICE OF SENIOR AND LONG-TERM CARE SERVICES

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Manager of the Schenectady County Senior and Long-Term Care Services by memorandum dated June 27, 2023 requests that two positions of Community Health Nurse be created, and that two positions of Public Health Nurse be eliminated in the Office of Senior and Long-Term Care Services; and

WHEREAS, the Manager of the Schenectady County Senior and Long-Term Care Services states that these changes will provide increased operational efficiency within the Office; and

WHEREAS, the Director of Human Resources by memorandum dated June 27, 2023 recommends the creation of two positions of Community Health Nurse at CSEA Grade 15, and states that no additional action is needed by the Schenectady County Civil Service Commission; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that two positions of Public Health Nurse be eliminated, that two positions of Community Health Nurse be created in the Office of Senior and Long-Term Care Services, and that the appropriate budgetary amendments be approved; now, therefore, be it

RESOLVED, that the following positions at the Office of Senior and Long-Term Care Services be and they hereby are created as follows:

<u>Position</u>	<u>Grade</u>
Community Health Nurse	15
Community Health Nurse	15

; and, be it further

RESOLVED, that the aforesaid two positions of Public Health Nurse in the Office of Senior and Long-Term Care Services, be and they hereby are eliminated; and, be it further

RESOLVED, that the 2023 Operating Budget be and it hereby is amended as follows:

Establish and Increase Appropriation Code by:

A516773.111 – Personnel Services – Community Health Nurse (2)	\$ 133,974.
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Decrease Appropriation Codes by:

A516010.111 – Personnel Services – Public Health Nurse	\$ 56,617.
A516773.111 – Personnel Services – Public Health Nurse	\$ 60,764.



RESOLUTION 131-23

Sponsored by Legislator Ruzzo:

A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CAPITAL REGION LAND BANK AND THE SCHENECTADY METROPLEX DEVELOPMENT AUTHORITY FOR THE DEMOLITION OF VARIOUS BUILDINGS IN THE CITY OF SCHENECTADY

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Commissioner of the Department of Economic Development and Planning by memorandum dated June 20, 2023 recommends that Schenectady County enter into an agreement with the Land Reutilization Corporation of the Capital Region (hereafter “Capital Region Land Bank”) and the Schenectady Metroplex Development Authority for the demolition of the buildings on the following County-owned properties in the City of Schenectady:

1. 139 Erie Boulevard;
2. 141 Erie Boulevard;
3. 254 South Ferry Street;
4. 234 South Ferry Street;
5. 232 South Ferry Street;
6. 230 South Ferry Street; and
7. 228 South Ferry Street

; and

WHEREAS, the Commissioner of the Department of Economic Development and Planning advises that the estimated expenses for the aforesaid demolition would be approximately \$800,000.00, which cost would be borne by the Capital Region Land Bank, the Schenectady County

Industrial Development Authority, and the Schenectady Metroplex Development Authority; and

WHEREAS, the Commissioner of the Department of Economic Development and Planning further advises that the demolition of the buildings on the aforesaid real properties would boost redevelopment efforts, and create a “shovel-ready” site for future development by SUNY Schenectady; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that Schenectady County enter into an agreement with the Capital Region Land Bank and the Schenectady Metroplex Development Authority for the demolition of buildings on the aforesaid real properties in the City of Schenectady; now, therefore be it

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute an agreement with the Capital Region Land Bank and the Schenectady Metroplex Development Authority consistent with the provisions of this resolution.



RESOLUTION 132-23

Sponsored by Legislator Patierne:

A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION FOR MAINTENANCE OF ELEVATORS AT THE GLENDALE NURSING HOME

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Administrator of the Glendale Nursing Home by memorandum dated June 16, 2023 recommends that Schenectady County enter into a three-year agreement with Schindler Elevator Corporation for the maintenance of the five elevators at the Glendale Nursing Home; and

WHEREAS, the Administrator of the Glendale Nursing Home advises that the agreement will commence on April 1, 2023, and the first-year cost will be \$9,228.00 (future annual price adjustments are capped at 5% per year); and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that Schenectady County enter into a multi-year agreement with Schindler Elevator Corporation for maintenance of the elevators at the Glendale Nursing Home; now, therefore be it

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute a multi-year agreement with Schindler Elevator Corporation consistent with the provisions of this resolution.



RESOLUTION 133-23

Sponsored by Legislator Patierne:

**A RESOLUTION REGARDING BUDGET AMENDMENTS FOR THE
COURTHOUSE ACCESSIBLE RESTROOM RENOVATION
PROJECT**

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Director of Facilities by memorandum dated June 27, 2023 requests that Schenectady County’s 2023 Operating Budget be amended to provide additional funding of \$150,000.00 for the expenses associated with the Restroom Renovation Project at the Schenectady County Courthouse; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that the 2023 Operating Budget be amended to provide additional funding of \$150,000.00 for the aforesaid accessible restroom project at the Schenectady County Courthouse; now, therefore, be it

RESOLVED, that the 2023 Operating Budget be and it hereby is amended as follows:

Increase Revenue Code by:

A31620.33021 – Court Facilities Reimbursement \$ 150,000.

Increase Appropriation Code by:

A541620.460004 – Repairs and Maintenance – Court
Facilities \$ 150,000.



RESOLUTION 134-23

Sponsored by Legislator Patierne:

A RESOLUTION AUTHORIZING THE COUNTY OF SCHENECTADY TO ENTER INTO A LICENSE AGREEMENT WITH NATIONAL GRID REGARDING THE ALPLAUS SIDEWALK PROJECT

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Director of Public Works by memorandum dated June 19, 2023 recommends that the County enter into a license agreement with the Niagara Mohawk Power Corporation (a/k/a National Grid) to allow the Alplaus Sidewalk Project to proceed over land owned by National Grid; and

WHEREAS, the Director of Public Works advises that the license agreement would be granted by National Grid to Schenectady County for an annual licensing fee of \$100.00; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that Schenectady County enter into a license agreement to be able to timely construct a portion of the sidewalk in Alplaus on property owned by National Grid; now, therefore, be it

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to execute a license agreement with the Niagara Mohawk Power Corporation (a/k/a National Grid) consistent with the provisions of this resolution.



RESOLUTION 135-23

Sponsored by Legislator Frisoni:

A RESOLUTION AUTHORIZING THE COUNTY TO ENTER INTO AN AMENDMENT TO A GRANT OF EASEMENT WITH HIGHBRIDGE BROADWAY, LLC

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, the County Attorney by memorandum dated June 29, 2023 advises that when the County purchased the real property located at 388 Broadway in the City of Schenectady it entered into a Parking and Access Easement Agreement with Highbridge Broadway, LLC to secure permanent exclusive parking spaces (20) for the employees working at the building; and

WHEREAS, the County Attorney further advises that the County has reached an agreement with Highbridge Broadway, LLC to relocate the twenty parking spaces to areas that are closer to the building located at 388 Broadway; and

WHEREAS, the County Manager by memorandum dated June 30, 2023 recommends that the amendment to the easement agreement with Highbridge Broadway, LLC be approved to provide new parking spaces for employees that are closer to the building located at 388 Broadway; now, therefore, be it

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute an amendment to a Grant of Easement with Highbridge Broadway, LLC consistent with the provisions of this Resolution.



RESOLUTION 136-23

Sponsored by Legislator Fields:

A RESOLUTION AMENDING INTERNAL POLICIES AND PROCEDURES FOR THE PROCUREMENT OF BID AND NON-BID GOODS AND SERVICES

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, section 104 of the NYS General Municipal Law requires this Governing Body to annually review its policies and procedures governing all procurements of goods and services; and

WHEREAS, section 104 of the NYS General Municipal Law requires this Governing Body to establish internal policies and procedures governing all procurement of goods and services not required by law to be made pursuant to the competitive bidding requirements of section 103 of the NYS General Municipal Law or any other general, special or local law; and

WHEREAS, the County Manager and the Commissioner of Finance have filed with the Clerk of this Legislature a revised Schenectady County Purchasing Policy; and

WHEREAS, the adoption of these revisions will lead to economy and efficiency in this County's purchasing practices; now, therefore, be it

RESOLVED, that the Schenectady County Purchasing Policy annexed hereto and made a part hereto be and it hereby is adopted and the County Manager and the Purchasing Agent be and they are hereby authorized to implement the same.

Schenectady County Purchasing Policy

Purchasing Objectives:

- 1 To acquire quality goods and services for County departments to use in fulfilling their responsibilities.
- 2 To ensure that these goods and services will be available at the proper time and place, and in the appropriate quantity.
- 3 To maximize the value of taxpayer funds in procuring goods and services.

Principles/Standards:

- Schenectady County conducts its purchasing in accordance with the laws of New York State, the County Charter, and the County Administrative Code. The Purchasing Guidelines follow the legal requirements established in these statutes.
- The County is responsible for providing a purchasing program that ensures fairness and integrity, and guards against favoritism, fraud, and corruption.
- A central Purchasing Agent is responsible for County purchasing. The Agent ensures that procurements are made in compliance with State and County laws and that the purchasing objectives (above) are met.
- The County seeks to fulfill its needs for goods and services through open competitive bidding wherever practical and possible. Information is readily available to potential bidders.
- The County encourages all segments of the business community, including businesses owned by minorities and women, to participate in its purchasing program.
- In order to maximize purchasing power, the County Purchasing Agent negotiates and/or utilizes county-wide and New York State contracts to purchase goods and services whenever possible.

Purchasing Rules and Guidelines:

Schenectady County Purchasing Agent

In accordance with New York State Law¹, the following individuals are responsible for purchasing:

- County Manager
- Commissioner of Finance
- Purchasing Agent
- Assistant Purchasing Agent

The Purchasing Agent is responsible for administering the County's purchasing program. The Agent's responsibilities include:

- Providing information and assistance to County departments, vendors, and the public.
- Soliciting, administering, advertising and opening all competitive bids.
- Negotiating and issuing purchase orders for items needed by County departments.
- Negotiating county-wide contracts for goods and services routinely used by County departments (and other municipalities, if applicable).

¹ General Municipal Law §104-b(2)(f)

- Determining the classification of purchases.
- Establishing, implementing, and monitoring purchasing policies.

In order to promote efficiency and flexibility in the purchasing process, the County Manager and the Purchasing Agent may allow departments to order merchandise directly with vendors approved under County or State contracts, or purchasing consortiums. The Purchasing Agent will provide departments with a listing of such vendors, items, and prices on a regular basis.

Note: The Purchasing Agent does not handle transactions for the purchase and lease of real property.

These rules set forth in this policy are based on the requirements of Article 5-A, Section 103 of New York State General Municipal Law, the Schenectady County Charter, and the Schenectady County Administrative Code.

Purchasing Requirements

1. Purchase of Equipment, Materials, Supplies, or Contracting for Public Works

Commodities are considered to be materials, supplies, and equipment, while Public Works are considered to be services, labor, or construction. If a contract involves both service and equipment, the total character of the contract should be determined based on the primary purpose of the purchase.²

For Commodities

Purchases less than \$2,000

Purchases less than \$2,000 will be made at the discretion of the County Manager, the Purchasing Agent, or the County Manager's designee.

Purchases of \$2,000-\$5,000

Departments send a request (requisition) to the Purchasing Agent. At a minimum, three verbal quotes from vendors must be obtained, and a purchase order is issued to the lowest qualified bidder.

Purchases of \$5,001-\$19,999

Departments send a request (requisition) to Purchasing Agent. At a minimum, three written quotes from vendors must be obtained, and a purchase order is issued to the lowest qualified bidder.

For Public Works

Purchases less than \$5,000

Purchases less than \$5,000 will be made at the discretion of the County Manager, the Purchasing Agent, or the County Manager's designee.

Public Works Purchases of \$5,000-\$34,999

Departments send a request (requisition) to Purchasing Agent. At a minimum, three written quotes from vendors must be obtained, and a purchase order is issued to the lowest qualified bidder.

² See Office of the State Comptroller guidance document "Seeking Competition in Procurement."

2. Competitive Bidding

Purchases \$20,000 and above or Public Works Purchases \$35,000 and above³

Materials, supplies, and equipment purchases in aggregate of more than twenty thousand dollars per year, or public works contracts in aggregate of more than thirty-five thousand dollars per year to an individual vendor must be competitively bid. The aforesaid amounts may be increased automatically as provided for in Article 5-A, Section 103 of New York State General Municipal Law. The Purchasing Agent works with the responsible department in developing bid specifications. Requests for bids are advertised in the legal advertising section of the County's official newspaper designated by the County Legislature and are distributed online through a free, public forum.⁴ There must be a minimum of five days between the first day of bid publication and the public opening of bids by the Purchasing Agent.⁵ The Purchasing Agent and the department will review bid results to determine the award, which is made to the lowest responsible bidder.

Open Purchase Orders

If a vendor will be used repeatedly, it is appropriate to execute a contract or an "open purchase order", so that the procurement/bidding process does not have to be repeated each time an order is placed. "Open purchase orders" may also be used for small purchases from approved vendors for items needed to complete immediate projects where other procurement methods would provide costly delays.

Public Posting in Lieu of Quotes

If three verbal or written quotes cannot be obtained for purchases under the formal bid threshold, but the purchase does not qualify as a sole source, the Purchasing Agent may ensure competitive procurement of the product by publically posting an online solicitation and then making the purchase from the lowest qualified quote.

3. Purchase of Services

Professional Services

The purchase of professional services is initiated by the department in need of the services.⁶ Consistent with State General Municipal Law, Article 5A, Section 104-B, professional services must be procured in a manner that assures the prudent and economical use of public monies in the best interest of the taxpayers. The selection method to be used may include (but is not limited to) the following: request for proposals, request for qualifications, recruitment, or open acceptance of proposals. Professional services contracts awarded with State or federal funds must follow any bidding requirements set forth in State, federal or other applicable statutes and guidelines. Once the service provider is selected, the department should work with the County Attorney's Office to prepare a contract, which must be approved by the County Attorney, the Purchasing Agent, the Commissioner of Finance and the County Manager.

Maintenance Agreements

Maintenance agreements for equipment are procured through the Purchasing Agent. The Purchasing Agent administers these contracts and must competitively acquire these services or provide sole source justification.

³ General Municipal Law §103(1)

⁴ General Municipal Law §103 (2)

⁵ General Municipal Law §103(2)

⁶ According to OSC Guidance Document "Seeking Competition in Procurement" issued January 2009, professional services are defined as "requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment, or a high degree of creativity."

Equipment Leases/Rentals

Equipment leases and rental agreements may only be negotiated and approved by the Purchasing Agent.

Specialized Services

Other services unique to individual departments should be procured using the guidelines for purchases of materials, supplies, and equipment, based on the cost of the service.

4. Public Works Construction Contracts Exceeding \$200,000

Public works construction contracts exceeding \$200,000 may only be awarded to contractors and subcontractors that have an approved apprenticeship program as provided for in Article 23 of the New York State Labor Law and meet State, Federal, or Schenectady County Minority and Women-Owned Business Utilization goals as appropriately apply.⁷

5. Exceptions to Competitive Procurement Requirements

Existing State and County Contracts⁸

Purchases of commodities and Public Work may be made under existing contracts with New York State maintained by the Office of General Services or other counties within New York State. Other county contracts must have a provision extending their use to other local governments. When purchasing off of an existing contract the contract details must be documented on the requisition.

Emergency Procurement⁹

In an emergency situation the Purchasing Agent has the authority to make expenditures below the legal competitive bid threshold (\$20,000 for commodities and \$35,000 for public works) without seeking quotes. The Department head requesting the purchase must explain the emergency situation in writing.¹⁰ If the situation requires purchases or contracts above the legal bid threshold, the County Manager must authorize the expenditure by declaring the emergency situation in writing.

Sole Source Procurement

A purchase may be exempt from competitive procurement if the Purchasing Agent makes a reasonable effort to determine that the item or service required is only available from one source. The Agent must document the reason(s) for sole source procurement. If the procurement is above the legal competitive bid threshold it must be approved by the County Manager.

Hospital Purchases¹¹

Purchases of hospital supplies and services may be made without competitive bidding if made under joint contracts with other public or private hospitals or medical facilities.

Preferential Vendors¹²

Purchases from agencies for the disabled (e.g., NYSID) and correctional facilities (e.g., Corcraft) are exempt from competitive bidding. County departments are encouraged to purchase materials, supplies,

⁷ See the Schenectady County Equal Opportunity and Affirmative Action Plan

⁸ General Municipal Law §104, §103(3)

⁹ General Municipal Law §103(4)

¹⁰ Emergency situations are defined as in General Municipal Law §103(4) as "a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action"

¹¹ General Municipal Law §103(8); Glendale Nursing Home is considered a municipal hospital under OSC Opinion 89-2.

¹² State Finance Law §162(1),(2)

and equipment from these entities whenever possible after the department has determined the form, function, and utility of preferred source products and services meet the department's requirements.

Cooperatives & Piggyback Contracts

In lieu of obtaining written quotes for purchases of commodities up to \$20,000; the Director of Purchasing is authorized to make such purchases using established national and regional cooperative purchasing contracts, including, but not limited to, the contracts issued by the following entities: the U.S. General Services Administration (GSA) Schedule 70 Information Technology, Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), U.S. Communities Government Purchasing Cooperative, Western States Contracting Alliance (WSCA), National Joint Powers Alliance (NJPA), or the HGACBuy Cooperative Purchasing Program.¹³

6. Energy Star Purchasing Program

Consistent with Schenectady County Legislation Resolution 66-08, all agencies and departments must purchase Energy Star-certified products when available unless the Department Head can demonstrate to the County Manager, in writing, that the product is not available competitively, is not available within a reasonable time frame, or does not meet appropriate performance standards.

7. Fraud, Waste and Abuse Prevention Policy Compliance

All departments must comply with the Schenectady County Fraud, Waste and Abuse Prevention Policy, including referencing the policy in contracts or written agreements for services.

Purchasing Procedures

Detailed departmental and vendor purchasing procedures are available in separate documents, which are available from the County Purchasing Agent.

¹³ General Municipal Law §103 (16)



RESOLUTION 137-23

Sponsored by the Committee on Rules:

A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE EMPIRE STATE AEROSCIENCES MUSEUM

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Director of the Bureau of Engineering by memorandum dated June 6, 2023 advises that the Empire State Aerosciences Museum (ESAM) has agreed to enter into a new lease agreement with Schenectady County for a smaller parcel (approximately 9.45 acres) at the Schenectady County Airport; and

WHEREAS, the Director of the Bureau of Engineering further advises that this new lease agreement with ESAM will return approximately 24 acres back to Schenectady County for future economic development; and

WHEREAS, the Director of Public Works by memorandum dated June 7, 2023 advises that the new lease agreement with ESAM is for twenty years (April 1, 2023 to March 31, 2043), and the rent is \$8,192.00 per annum; and

WHEREAS, this Governing Body conducted a public hearing on July 5, 2023 pursuant to section 352 of the General Municipal Law for the purpose of hearing all interested persons on the proposed lease agreement between Schenectady County and ESAM for the aforesaid 9.45 acre site at the Schenectady County Airport; and

WHEREAS, the County Manager by memorandum dated June 9, 2023 recommends a multi-year lease agreement between Schenectady County and ESAM for a 9.45-acre parcel at the Schenectady County Airport; now, therefore, be it

RESOLVED, that the County Manager be and he hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute a Standard Airport Site Lease Agreement with the Empire State Aerosciences Museum consistent with the provisions of this Resolution.