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CHAIR OF THE LEGISLATURE

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County of Schenectady

NEW YORK

SCHENECTADY COUNTY LEGISLATURE

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December 12, 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

Resolution 188-23 The Committee on Rules (R108) A RESOLUTION
CONGRATULATING SCHENECTADY BELMONT POP
WARNER 10U FOOTBALL TEAM FOR AN EXTREMELY
SUCCESSFUL 2023 SEASON

Resolution 189-23 The Committee on Rules (R109) A RESOLUTION
CONGRATULATING SCHENECTADY BELMONT POP
WARNER 11U FOOTBALL TEAM FOR AN EXTREMELY
SUCCESSFUL 2023 SEASON

Resolution 190-23 The Committee on Rules (R110) A RESOLUTION
CONGRATULATING SCHENECTADY BELMONT POP
WARNER 12U FOOTBALL TEAM FOR AN EXTREMELY
SUCCESSFUL 2023 SEASON

- Resolution 191-23 The Committee on Rules (R111) A RESOLUTION CELEBRATING THE SCHENECTADY HIGH SCHOOL DANCE TEAM AS RECIPIENT OF THE 2023 HOLIDAY PARADE BEST MOVEMENT AND DANCE AWARD
- Resolution 192-23 The Committee on Rules (R112) A RESOLUTION CELEBRATING STANFORD HEIGHTS FIRE DEPARTMENT AS RECIPIENT OF THE 2023 HOLIDAY PARADE RED SUSPENDERS AWARD
- Resolution 193-23 The Committee on Rules (R113) A RESOLUTION CELEBRATING SCHENECTADY CARIBBEAN DAY AS RECIPIENT OF THE 2023 HOLIDAY PARADE BEST LIVE PERFORMANCE AWARD
- Resolution 194-23 The Committee on Rules (R114) A RESOLUTION CELEBRATING THE NYS THRUWAY AUTHORITY AS RECIPIENT OF THE 2023 HOLIDAY PARADE NYS OF MIND AWARD
- Resolution 195-23 The Committee on Rules (R115) A RESOLUTION CELEBRATING THE 109th AIRLIFT WING AS RECIPIENT OF THE 2023 HOLIDAY PARADE BEST OVERALL ENTRY AWARD
- Resolution 196-23 The Committee on Rules (R116) A RESOLUTION HONORING THE 109TH AIRLIFT WING’S 75TH ANNIVERSARY
18. Resolution 197-23 The Committee on Rules (R117) A RESOLUTION 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, AND APPROPRIATING FUNDS THEREFORE
19. Resolution 198-23 Legislator Patierne (PFTI23) A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF EQUIPMENT FOR USE AT THE SCHENECTADY COUNTY AIRPORT
20. Resolution 199-23 Legislator Patierne (PFTI24) A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS AT THE SCHENECTADY COUNTY AIRPORT

21. Resolution 200-23 Legislator Patierne (PFT125) A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH WESTCOTT ENTERPRISES, LLC
22. Resolution 201-23 Legislator Patierne (PFT126) A RESOLUTION REGARDING THE DESIGNATION OF A RESPONSIBLE LOCAL OFFICIAL FOR PURPOSES OF THE EQUITABLE BUSINESS OPPORTUNITIES REPORTING SYSTEM
23. Resolution 202-23 Legislator Constantine (PSF11) A RESOLUTION TO ACCEPT MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR PURPOSES OUTLINED IN THE STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM
24. Resolution 203-23 Legislator Fields (WM12) A RESOLUTION AUTHORIZING THE EXTENSION OF RETURNED VILLAGE TAXES ON THE APPLICABLE TOWN TAX ROLLS
25. Resolution 204-23 Legislator Fields (WM13) A RESOLUTION APPROVING THE REPORT OF FORM AND FOOTING AND ADOPTING THE TAX APPORTIONMENT BASIS
26. Resolution 205-23 Legislator Fields (WM14) A RESOLUTION AUTHORIZING THE CHARGEBACK OF UNCOLLECTIBLE TAXES TO CERTAIN SCHOOL DISTRICTS
27. Resolution 206-23 Legislator Fields (WM15) A RESOLUTION AMENDING INTERNAL POLICIES AND PROCEDURES FOR THE PROCUREMENT OF BID AND NON-BID GOODS AND SERVICES
28. Adjournment



RESOLUTION 188-23

Sponsored by the Committee on Rules:

A RESOLUTION CONGRATULATING SCHENECTADY BELMONT POP WARNER 10U FOOTBALL TEAM FOR AN EXTREMELY SUCCESSFUL 2023 SEASON

WHEREAS, participation in organized sports has many benefits including developing a healthy lifestyle, getting exercise, improvement of motor skills, developing self-confidence, teaching teamwork, developing social skills and fostering friendships; and,

WHEREAS, The Schenectady Belmont Pop Warner Youth Football Teams worked tirelessly to finish off another successful season, with five teams qualifying for the Capital District Pop Warner Super Bowls and three of these teams winning their championships; and

WHEREAS, the Schenectady Belmont Pop Warner 10U Team finished their season undefeated with a 9-0 record as Capital District Pop Warner Champions, and won every game in shutout fashion, not allowing a single point all season; and

WHEREAS, perhaps one of the most impressive features of the team's success is that it was truly a team effort, and their success was due to the overall effort of everyone involved including the 22 talented players, their 5 hard-working coaches, as well as their families and the community; now, therefore be it

RESOLVED, the Schenectady County Legislature congratulates the Schenectady Belmont Pop Warner 10U Football Team on their historic season, and championship win.



RESOLUTION 189-23

Sponsored by the Committee on Rules:

A RESOLUTION CONGRATULATING SCHENECTADY BELMONT POP WARNER 11U FOOTBALL TEAM FOR AN EXTREMELY SUCCESSFUL 2023 SEASON

WHEREAS, participation in organized sports has many benefits including developing a healthy lifestyle, getting exercise, improvement of motor skills, developing self-confidence, teaching teamwork, developing social skills and fostering friendships; and,

WHEREAS, The Schenectady Belmont Pop Warner Youth Football Teams worked tirelessly to finish off another successful season, with five teams qualifying for the Capital District Pop Warner Super Bowls and three of these teams winning their championships; and

WHEREAS, the Schenectady Belmont Pop Warner 11U Team finished their season with a 7-2 record as Capital District Pop Warner Champions, and worked diligently to secure the championship win, beating the two teams they had initially lost to in the regular season; and

WHEREAS, perhaps one of the most impressive features of the team's success is that it was truly a team effort, and their success was due to the overall effort of everyone involved including the 25 talented players, 10 of which had never before played football, their 8 hard-working coaches, as well as their families and the community; now, therefore be it

RESOLVED, the Schenectady County Legislature congratulates the Schenectady Belmont Pop Warner 11U Football Team on their historic season, and championship win.



RESOLUTION 190-23

Sponsored by the Committee on Rules:

A RESOLUTION CONGRATULATING SCHENECTADY BELMONT POP WARNER 12U FOOTBALL TEAM FOR AN EXTREMELY SUCCESSFUL 2023 SEASON

WHEREAS, participation in organized sports has many benefits including developing a healthy lifestyle, getting exercise, improvement of motor skills, developing self-confidence, teaching teamwork, developing social skills and fostering friendships; and,

WHEREAS, The Schenectady Belmont Pop Warner Youth Football Teams worked tirelessly to finish off another successful season, with five teams qualifying for the Capital District Pop Warner Super Bowls and three of these teams winning their championships; and

WHEREAS, the Schenectady Belmont Pop Warner 12U Team finished their season undefeated, with a 9-0 record as Capital District Pop Warner Champions, and won every game in shutout fashion, not allowing a single point all season; and

WHEREAS, perhaps one of the most impressive features of the team's success is that it was truly a team effort, and their success was due to the overall effort of everyone involved including the 31 talented players and their 5 hard-working coaches, as well as their families and the community; now, therefore be it

RESOLVED, the Schenectady County Legislature congratulates the Schenectady Belmont Pop Warner 12U Football Team on their historic season, and championship win.



RESOLUTION 191-23

Sponsored by the Committee on Rules:

A RESOLUTION CELEBRATING STANFORD HEIGHTS FIRE DEPARTMENT AS RECIPIENT OF THE 2023 HOLIDAY PARADE RED SUSPENDERS AWARD

WHEREAS, every year, the Schenectady County Legislature's Office of Special Events hosts a series of events and activities that have become a cornerstone of community joy, and have fostered a sense of unity among County residents and community partners; and

WHEREAS, on November 18th, 2023, the 54th annual holiday parade presented by the City and County of Schenectady exemplified this joy, festivity, and communal spirit through its dazzling displays and heartwarming celebrations; and

WHEREAS, among the participants, **Stanford Heights Fire Department** embodied high energy and unparalleled creativity, captured the essence of the holiday season with their entry, and is the recipient of the **2023 Holiday Parade Red Suspenders Award**; and

WHEREAS, Stanford Heights Fire Department has illuminated our community and spread unparalleled joy and festive cheer to all in attendance; now therefore be it

RESOLVED, that the Schenectady County Legislature congratulates Stanford Heights Fire Department for being the recipient of the **Red Suspenders Award** in the 2023 Annual Holiday Parade.



RESOLUTION 192-23

Sponsored by the Committee on Rules:

A RESOLUTION CELEBRATING THE SCHENECTADY HIGH SCHOOL DANCE TEAM AS RECIPIENT OF THE 2023 HOLIDAY PARADE BEST MOVEMENT AND DANCE AWARD

WHEREAS, every year, the Schenectady County Legislature's Office of Special Events hosts a series of events and activities that have become a cornerstone of community joy, and have fostered a sense of unity among County residents and community partners; and

WHEREAS, on November 18th, 2023, the 54th annual holiday parade presented by the City and County of Schenectady exemplified this joy, festivity, and communal spirit through its dazzling displays and heartwarming celebrations; and

WHEREAS, among the participants, **The Schenectady High School Dance Team** embodied unparalleled creativity, captured the essence of the holiday season with their entry, and is the recipient of the **2023 Holiday Parade Best Movement and Dance Award**; and

WHEREAS, The Schenectady High School Dance Team has illuminated our community and spread unparalleled joy and festive cheer to all in attendance; now therefore be it

RESOLVED, that the Schenectady County Legislature congratulates The Schenectady High School Dance Team for being the recipient of the **Best Movement and Dance Award** in the 2023 Annual Holiday Parade.



RESOLUTION 193-23

Sponsored by the Committee on Rules:

A RESOLUTION CELEBRATING SCHENECTADY CARIBBEAN DAY AS RECIPIENT OF THE 2023 HOLIDAY PARADE BEST LIVE PERFORMANCE AWARD

WHEREAS, every year, the Schenectady County Legislature's Office of Special Events hosts a series of events and activities that have become a cornerstone of community joy, and have fostered a sense of unity among County residents and community partners; and

WHEREAS, on November 18th, 2023, the 54th annual holiday parade presented by the City and County of Schenectady exemplified this joy, festivity, and communal spirit through its dazzling displays and heartwarming celebrations; and

WHEREAS, among the participants, **Schenectady Caribbean Day** embodied unparalleled creativity and captured the essence of the holiday season with their entry, and is the recipient of the **2023 Holiday Parade Best Live Performance Award**; and

WHEREAS, Schenectady Caribbean Day has illuminated our community and spread unparalleled joy and festive cheer to all in attendance; now therefore be it

RESOLVED, that the Schenectady County Legislature congratulates Schenectady Caribbean Day for being the recipient of the **Best Live Performance Award** in the 2023 Annual Holiday Parade.



RESOLUTION 194-23

Sponsored by the Committee on Rules:

A RESOLUTION CELEBRATING THE NYS THRUWAY AUTHORITY AS RECIPIENT OF THE 2023 HOLIDAY PARADE NYS OF MIND AWARD

WHEREAS, every year, the Schenectady County Legislature's Office of Special Events hosts a series of events and activities that have become a cornerstone of community joy, and have fostered a sense of unity among County residents and community partners; and

WHEREAS, on November 18th, 2023, the 54th annual holiday parade presented by the City and County of Schenectady exemplified this joy, festivity, and communal spirit through its dazzling displays and heartwarming celebrations; and

WHEREAS, among the participants, the **NYS Thruway Authority** captured the essence of the holiday season with their entry, and is the recipient of the **2023 Holiday Parade NYS of Mind Award**; and

WHEREAS, the NYS Thruway Authority has illuminated our community and spread unparalleled joy and festive cheer to all in attendance; now therefore be it

RESOLVED, that the Schenectady County Legislature congratulates the NYS Thruway Authority for being the recipient of the **NYS of Mind Award** in the 2023 Annual Holiday Parade and thanks the NYS Thruway Authority for serving our community.



RESOLUTION 195-23

Sponsored by the Committee on Rules:

A RESOLUTION CELEBRATING THE 109th AIRLIFT WING AS RECIPIENT OF THE 2023 HOLIDAY PARADE BEST OVERALL ENTRY AWARD

WHEREAS, every year, the Schenectady County Legislature's Office of Special Events hosts a series of events and activities that have become a cornerstone of community joy, and have fostered a sense of unity among County residents and community partners; and

WHEREAS, on November 18th, 2023, the 54th annual holiday parade presented by the City and County of Schenectady exemplified this joy, festivity, and communal spirit through its dazzling displays and heartwarming celebrations; and

WHEREAS, among the participants, **The 109th Airlift Wing** embodied unparalleled creativity, captured the essence of the holiday season with their entry, and is the recipient of the **2023 Holiday Parade Best Overall Entry Award**; and

WHEREAS, The 109th Airlift Wing has illuminated our community and spread unparalleled joy and festive cheer to all in attendance; now therefore be it

RESOLVED, that the Schenectady County Legislature congratulates The 109th Airlift Wing for being the recipient of the **Best Overall Entry Award** in the 2023 Annual Holiday Parade and thanks the 109th Airlift Wing for selflessly serving our community.



RESOLUTION 196-23

Sponsored by the Committee on Rules:

A RESOLUTION HONORING THE 109TH AIRLIFT WING'S 75TH ANNIVERSARY

WHEREAS, the 109th Airlift Wing is stationed at The Stratton Air National Guard Base in Scotia, represents hundreds of men and women who are members of the New York Air National Guard, and supports one of the most unique missions in the world; and

WHEREAS, the 109th Airlift Wing has a rich history and was first established, only a year after the Air Force itself was established, as the 139th Fighter Squadron on November 18th, 1948 and was comprised of 22 officers and 43 airmen who were mostly World War II Veterans. In 1949, the unit was relocated to The Schenectady County airport where they still reside today; and

WHEREAS, in 1956, the fighter squadron officially became the 109th fighter squadron under the Air Force Group, and in the 1960's the unit transitioned to cargo transport, delivering both troops and supplies around the world and becoming one of the National Guards premier heavy airlift units; and

WHEREAS, the 109th Airlift Wing began operations from North Pole to South Pole in 1975, and soon after began supporting the National Science Foundation's research efforts throughout Greenland, as well as the Navy underwater construction team and Space and Naval Warfare Systems command; and

WHEREAS, as the years passed, capabilities expanded, and the 109th began deployment to Antarctica in January of 1988, which is still a part of their mission today; and

WHEREAS, the 109th recently celebrated their 75th anniversary on November 18th, 2023 and have continued to selflessly serve this community, state, and nation; now therefore be it

RESOLVED, that on behalf of the Schenectady County Legislature we wholeheartedly support and honor all of those who make up the 109th Airlift Wing, and recognize the unwavering dedication and pivotal contributions to the nation's defense of all its members; now, therefore be it further

RESOLVED, That the Schenectady County Legislature congratulates the 109th Airlift Wing on their 75th Anniversary and extends its deepest gratitude for their service to our nation, and countless contributions to this community.



RESOLUTION 197-23

Sponsored by the Committee on Rules:

A RESOLUTION 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, AND APPROPRIATING FUNDS THEREFORE

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

WHEREAS, a CMAQ Project Rosendale Road/Old River Road Intersection Improvements, Traffic Signal, Town of Niskayuna, Schenectady County, P.I.N. 1761.86/D036423 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Schenectady desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design; now, therefore, be it

RESOLVED, that the County Legislature hereby approves the above-subject Project; and be it further

RESOLVED, that the County Legislature hereby authorizes the County of Schenectady to pay in the first instance 100% of the federal and non-federal share of the cost of Design for the Project or portions thereof; and, be it further

RESOLVED, that the sum of \$138,295.00 has been appropriated from the Capital Budget and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County Legislature of

Schenectady County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and, be it further

RESOLVED, that the County Manager of the County of Schenectady, after consent and approval of the County Attorney as to form and content, be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Schenectady 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 will be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreements in connection with the Project, and be it further

RESOLVED, that the 2023 Capital Improvement Program be and it hereby is amended as follows:

CAPITAL BUDGET

Increase Capital Project 5110200053 – Old River Rd/Rosendale Rd Intersection Design

Increase Revenue String by:

H43333.4591 – Federal Aid -- Highway Capital Projects \$ 110,636.

Increase Revenue String by:

H93333.5710 – Serial Bonds \$ 27,659.

Increase Appropriation Code by:

H545110.401000 – Capital – Highway Contractual \$138,295.

; and, be it further

RESOLVED, that this Resolution shall take effect immediately.



RESOLUTION 198-23

Sponsored by Legislator Patierne:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF EQUIPMENT FOR USE AT THE SCHENECTADY COUNTY AIRPORT

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

WHEREAS, the Director of the Bureau of Engineering by memorandum dated November 21, 2023 advises that the New York State Department of Transportation is granting monies to Schenectady County for the procurement of snow removal equipment; and

WHEREAS, the Director of the Bureau of Engineering further advises that the NYS State share of the equipment purchase is \$861,195.00 and the County share is \$95,689.00; and

WHEREAS, the Director of Public Works by memorandum dated November 21, 2023 recommends the acceptance of grant monies from the NYS Department of Transportation for the purchase of snow removal equipment (snowblower); and

WHEREAS, the County Manager by memorandum dated December 1, 2023 recommends that Schenectady County accept the funding from the NYS Department of Transportation for the purchase of snow removal equipment for the Schenectady County Airport, and that appropriate capital 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 New York State Department of Transportation,

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 New York State Department of Transportation; and, be it further

RESOLVED, that the 2023 Capital Improvement Program be and it hereby is amended as follows:

Capital Budget

Establish Capital Project 5610230091 – Dual High Engine Snowblower Vehicle

Increase Revenue String by:

H33333.3592 – Airport Capital Projects – NYS DOT \$ 861,195.

Increase Revenue String by:

H93333.5710 – Serial Bonds \$ 95,689.

Increase Appropriation Code by:

H525610.201000 – Capital – Aviation Equipment \$ 956,884.



RESOLUTION 199-23

Sponsored by Legislator Patierne:

A RESOLUTION REGARDING THE ACCEPTANCE OF MONIES FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS AT THE SCHENECTADY COUNTY AIRPORT

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

WHEREAS, the Director of the Bureau of Engineering by memorandum dated November 21, 2023 advises that the New York State Department of Transportation is granting monies to Schenectady County for the relocation of the non-directional beacon at the Schenectady County Airport, and for the extension of sewer and water infrastructure along Rudy Chase Drive adjacent to the Schenectady County Airport; and

WHEREAS, the Director of the Bureau of Engineering further advises that the NYS State share of the equipment purchase is \$1,485,000.00 and the County share is \$165,000.00; and

WHEREAS, the Director of Public Works by memorandum dated November 21, 2023 recommends the acceptance of grant monies from the NYS Department of Transportation for the relocation of the non-directional beacon, and the extension of sewer and water infrastructure along Rudy Chase Drive adjacent to the Schenectady County Airport; and

WHEREAS, the County Manager by memorandum dated December 1, 2023 recommends that Schenectady County accept the funding from the NYS Department of Transportation for the relocation of the non-directional beacon, and the extension of sewer and water infrastructure along Rudy Chase Drive adjacent to the Schenectady County Airport, and that appropriate capital 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 New York State Department of Transportation, 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 New York State Department of Transportation; and, be it further

RESOLVED, that the 2023 Capital Improvement Program be and it hereby is amended as follows:

Capital Budget

Establish Capital Project 5610230090 – Sewer Line Extension and NDB Relocation

Increase Revenue String by:

H33333.3592 – Airport Capital Projects – NYS DOT \$ 1,485,000.

Increase Revenue String by:

H93333.5710 – Serial Bonds \$ 165,000.

Increase Appropriation Code by:

H545610.401000 – Capital – Aviation Contractual \$ 1,650,000.



RESOLUTION 200-23

Sponsored by Legislator Patierne:

A RESOLUTION TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH WESTCOTT ENTERPRISES, LLC

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

WHEREAS, the County Attorney by memorandum dated November 28, 2023 advises that the current lease with Wescott Enterprises, LLC for use of certain real property as an outer marker plot (approximately 0.013 acre) for the Schenectady County Airport will expire on December 31, 2023; and

WHEREAS, the County Attorney further advises that the proposed new lease would be from January 1, 2024 to December 31, 2039, and the annual rent is increased from \$2,500 to \$3,000; and

WHEREAS, the Director of Public Works by memorandum dated November 17, 2023 advises that the purpose of an outer marker plot is critical for the safe landing and takeoff of aircraft at the Schenectady County Airport, and he recommends that the County enter into the aforesaid proposed lease with Westcott Enterprises, LLC; and

WHEREAS, the County Manager by memorandum dated December 1, 2023 recommends that Schenectady County enter into a multi-year lease agreement with Westcott Enterprises, LLC for a 0.013-acre parcel in the Town of Rotterdam for use as an outer marker plot for 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 Lease Agreement with Westcott Enterprises, LLC consistent with the provisions of this Resolution.



RESOLUTION 201-23

Sponsored by Legislator Patierne:

A RESOLUTION REGARDING THE DESIGNATION OF A RESPONSIBLE LOCAL OFFICIAL FOR PURPOSES OF THE EQUITABLE BUSINESS OPPORTUNITIES REPORTING SYSTEM

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

WHEREAS, the Director of the Bureau of Engineering by memorandum dated October 31, 2023 advises that the New York State Department of Transportation requires this Governing Body to approve a resolution appointing a person as a responsible local official for purposes of managing its equitable business opportunities reporting system; and

WHEREAS, the Director of Public Works by memorandum dated November 17, 2023 recommends that Peter Knutson, Director of the Bureau of Engineering, be appointed as the responsible local official for purposes of managing the equitable business opportunities reporting system of the NYS Department of Transportation; and

WHEREAS, the County Manager by memorandum dated December 1, 2023 recommends that Peter Knutson, Director of the Bureau of Engineering, be appointed as the responsible local official for purposes of managing the equitable business opportunities reporting system of the NYS Department of Transportation; now, therefore be it

RESOLVED, that this Governing Body hereby appoints Peter Knutson, Director of the Bureau of Engineering, as Schenectady County's responsible local official for purposes of managing the equitable business opportunities reporting system of the NYS Department of Transportation.



RESOLUTION 202-23

Sponsored by Legislator Constantine:

A RESOLUTION TO ACCEPT MONIES FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR PURPOSES OUTLINED IN THE STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM

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

WHEREAS, the Director of the Schenectady County Unified Communications Center by a memorandum dated November 15, 2023 advises that Schenectady County was recently awarded monies from the NYS Division of Homeland Security and Emergency Services out of the Statewide Interoperable Communications Grant Program, which monies will be used for maintenance costs of the new 800Mhz radio system; and

WHEREAS, the Director of the Schenectady County Unified Communications Center further advises that Schenectady County is projected to receive \$609,599.00 in funding; and

WHEREAS, the Commissioner of the NYS Division of Homeland Security and Emergency Services by letter dated October 24, 2023 advises that Schenectady County has been awarded \$609,599.00 under the NYS 2023 Statewide Interoperable Communications Grant Program; and

WHEREAS, the Schenectady County Manager by memorandum dated December 1, 2023 recommends the acceptance of the aforesaid monies from the New York State Division of Homeland Security and Emergency Services; 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 Division of Homeland Security and Emergency Services, 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 Division of Homeland Security and Emergency Services.



RESOLUTION 203-23

Sponsored by Legislator Fields:

A RESOLUTION AUTHORIZING THE EXTENSION OF RETURNED VILLAGE TAXES ON THE APPLICABLE TOWN TAX ROLLS

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

WHEREAS, certain information has been filed as required by law pertaining to the extension of returned village taxes; now, therefore, be it

RESOLVED, that pursuant to statutes applicable thereto, this County Legislature authorizes the extension of the following villages' taxes on the applicable rolls of the several towns of the County:

| | |
|---------------------|---------------|
| Village of Delanson | \$ 12,836.06 |
| Village of Scotia | \$ 266,172.90 |

; and, be it further

RESOLVED, that the Commissioner of Finance be and she hereby is authorized to adjust the aforesaid totals in order to reflect payment received on any of the aforesaid delinquent taxes.



RESOLUTION 204-23

Sponsored by Legislator Fields:

A RESOLUTION APPROVING THE REPORT OF FORM AND FOOTING AND ADOPTING THE TAX APPORTIONMENT BASIS

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

WHEREAS, the Commissioner of Finance has filed a memorandum dated November 28, 2023 outlining the need to adopt values for tax levy and tax apportionment purposes; now, therefore, be it

RESOLVED, that the report of the Ways and Means Committee relative to the form and footing of the assessment rolls of the City of Schenectady and the several towns of Schenectady County, presented to the Legislature for approval, be and hereby are approved and adopted as follows:

Assessed Values for Tax Levy Purposes

| | |
|---------------------|---------------------------------|
| Town of Duanesburg | \$ 174,923,542. |
| Town of Glenville | \$ 2,126,304,200. |
| Town of Niskayuna | \$ 2,559,073,934. |
| Town of Princetown | \$ 68,362,630. |
| Town of Rotterdam | \$ 2,450,690,425. |
| City of Schenectady | \$ 2,470,993,135. |
| TOTAL | <u>\$ 9,850,347,866.</u> |

; and, be it further

RESOLVED, that the following assessed values be and hereby are approved and adopted for apportionment purposes:

Assessed Values for Apportionment Purposes

| | |
|---------------------|----------------------------------|
| Town of Duanesburg | \$ 182,690,726. |
| Town of Glenville | \$ 2,199,055,752. |
| Town of Niskayuna | \$ 2,639,637,728. |
| Town of Princetown | \$ 71,033,127. |
| Town of Rotterdam | \$ 2,616,038,632. |
| City of Schenectady | \$ 2,821,650,317. |
| TOTAL: | <u>\$ 10,530,106,282.</u> |



RESOLUTION 205-23

Sponsored by Legislator Fields:

A RESOLUTION AUTHORIZING THE CHARGEBACK OF UNCOLLECTIBLE TAXES TO CERTAIN SCHOOL DISTRICTS

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

WHEREAS, certain information has been filed as required by law pertaining to the extension of returned school taxes; now, therefore, be it

RESOLVED, that pursuant to statutes applicable thereto, this County Legislature authorizes the extension of the following school taxes on the applicable rolls of the several towns of the County:

School Taxes Returned

Duanesburg:

| | |
|--------------------|---------------|
| Duanesburg Central | \$ 377,653.61 |
| Schalmont Central | \$ 251,915.33 |
| Schoharie Central | \$ 34,860.12 |

Glenville:

| | |
|-----------------------------------|-----------------|
| Scotia Glenville Central | \$ 1,195,605.84 |
| Burnt Hills Ballston Lake Central | \$ 331,510.62 |
| Niskayuna Central | \$ 134,041.20 |

Niskayuna:

| | |
|-----------------------|-----------------|
| South Colonie Central | \$ 139,651.46 |
| Niskayuna Central | \$ 1,143,627.00 |

Princetown:

| | |
|--------------------|---------------|
| Schalmon Central | \$ 360,023.34 |
| Duanesburg Central | \$ 830.15 |

Rotterdam:

| | |
|-------------------|-----------------|
| Schalmon Central | \$ 702,952.78 |
| Mohonasen Central | \$ 1,018,441.87 |

; and, be it further

RESOLVED, that the Commissioner of Finance be and she hereby is authorized to adjust the aforesaid totals in order to reflect payment received on any of the aforesaid delinquent taxes and interest and penalties provided for by law.



RESOLUTION 206-23

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 County Auditor 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

December 2023

Adopted by Resolution XX-23 of the Schenectady County Legislature

BACKGROUND:

Schenectady County conducts its purchasing program in accordance with the laws, rules, and regulations of New York State government (NYS), the Schenectady County Charter, and the Schenectady County Administrative Code. In addition, Section 104-b of NYS General Municipal Law (GMU) requires local governments to adopt their own policies and procedures to address purchases that do not meet the statutory bid requirements.

This Purchasing Policy reflects the specific objectives and priorities of the County Legislature and includes directives and guidance to County departments in achieving these objectives.

OBJECTIVES:

- (1) To acquire the highest quality materials, supplies, and services for County departments to use in fulfilling their responsibilities.
- (2) To ensure that these materials, supplies, and services are available in a timely manner.
- (3) To obtain the best price and value available to maximize the value of taxpayer resources.

PRINCIPLES/GOALS:

- The County provides a purchasing program that safeguards taxpayer resources, ensures fairness and integrity, and guards against favoritism, fraud, and corruption.
- The County's purchasing process is open and transparent to potential vendors and the public; minority and women-owned businesses are encouraged to participate.
- The County's Purchasing Department and a designated Purchasing Agent provide expertise, information and assistance to County departments, vendors, and the public.
- To maximize cost savings, competitive processes are used to negotiate county-wide vendor contracts and existing government contracts, preferred sources, approved consortiums, and cooperative purchasing agreements are utilized.
- The County is proactive in protecting our environment by seeking and utilizing environmentally responsible products, vendors, processes, and transport.

COMPLIANCE, ETHICS, AND FRAUD PREVENTION:

All County departments and their staff must comply with the County *Code of Ethics and Fraud, Waste and Abuse Prevention Policy* in procuring government goods and services. Proper internal controls should be implemented to prevent fraud, and conflicts of interest, both in fact and appearance, should be avoided.

Vendor contracts should include appropriate references to laws, regulations, policies, and reporting requirements, and all required certifications (e.g., non-collusion, divestment) should be attached to the contract document.

Schenectady County Purchasing Policy

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DESIGNATED PERSONNEL:

The following individuals are primarily responsible for administering Schenectady County's Purchasing Program:

Thomas Bellick, *Purchasing Agent*

Margaret Aragosa, *Assistant Purchasing Agent*

Jaclyn Falotico, *Commissioner of Finance*

Christopher Gardner, *County Attorney*

Rory Fluman, *County Manager*

The Purchasing Agent is responsible for ensuring compliance with laws, rules, regulations, and policies.

Specific duties include:

- Administer the competitive bidding process.
- Solicit, document, and evaluate quotes/ proposals when competitive bids are not legally required.
- Prepare and transmit Purchase Orders for items requested by County departments.
- Negotiate county-wide contracts for goods and services routinely used by multiple departments.
- Maintain lists of government contracts, preferred sources, consortiums, and cooperative agreements.
- Provide purchasing information and assistance to departments, vendors, and the public.

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

PURCHASE OF COMMODITIES, PUBLIC WORKS, AND OTHER SERVICES:

Commodities are materials, supplies, equipment, and other products or consumables. **Public Works** are building, or construction projects that meet the prevailing wage requirements of Article 8 of the NYS Labor Law. **Other Services** are those that do not fall under the definition of Public Works or Professional Services.

Purchases Requiring Competitive Bids:

Commodities and Services \$20,000 and above, and Public Works Contracts \$35,000 and above:

The purchase of materials, supplies, equipment, or other services 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 under NYS Municipal law. However, certain exceptions to competitive bidding are allowed; see *Attachment A* for a list and description of these exceptions.

Process: The Purchasing Agent works with the responsible department to develop project specification and requests for bids are advertised in the County's official newspaper and/or distributed online through a free, public forum. Vendor bids are received and opened after a minimum of five days after the bid publication. Note that Schenectady County Resolution 119-20 authorizes the acceptance of vendor bids and offers submitted electronically (this does not apply to Public Works contracts).

Bid results are reviewed by the Purchasing Agent and an award is made to the lowest responsible bidder or using the best value standard authorized by Schenectady County Local Law 1-13

Public Works Construction Contracts exceeding \$200,000 may only be awarded to contractors and subcontractors that have approved apprenticeship programs as defined in Article 23 of New York State Labor Law.

Schenectady County Purchasing Policy

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**Aggregate Purchases:* Monetary thresholds cannot be avoided by splitting contracts into lesser agreements or a series of agreements. The requirements above apply to aggregate purchases from the same vendor, or of the same or similar type of commodity or service during a twelve-month period.

Purchases Below Competitive Bidding Threshold:

Formal competitive bids are not legally required to purchase commodities or services under \$20,000, or to award Public Works contracts under \$35,000. However, the County procures all items and services using open and competitive processes whenever practicable.

Commodities and other Services:

Purchases less than \$2,000: Departments consult with the Purchasing Department and follow the procedures outlined in the Purchasing Manual.

Purchases of \$2,000-\$5,000: Departments prepare and send a Requisition to the Purchasing Agent. A minimum of three documented verbal quotes must be obtained, and a Purchase Order will be issued to the lowest qualified vendor.

Purchases of \$5,001-\$19,999: Departments prepare and send a Requisition to the Purchasing Agent. A minimum of three written quotes must be obtained, and a Purchase Order is issued to the lowest qualified vendor.

The County Manager or Purchasing Agent may authorize a department to order merchandise directly from vendors under existing municipal contracts, approved consortiums, or from NYS preferred vendors.

Public Works:

Purchases less than \$5,000: Departments consult with the Purchasing Department and follow the procedures outlined in the Purchasing Manual.

Purchases of \$5,000-\$34,999: Departments prepare and send a Requisition to Purchasing Agent. A minimum of three written quotes must be obtained, and a Purchase Order is issued to the lowest qualified vendor.

Public Posting in Lieu of Quotes: If three verbal or written quotes cannot be obtained, the Purchasing Agent may post an online solicitation and select a quote from the lowest qualified vendor.

Additional Requirements and Considerations:

Energy/ Environmental: Schenectady County Resolution 66-08 requires all County agencies and departments to purchase Energy Star-certified products when available. In addition, NYS law allows preferences for recycled products and environmentally sensitive cleaning and maintenance products.

Equal Employment/Affirmative Action: Contracts over \$200,000 must comply with the minority and women owned business participation levels specified in the *Schenectady County Equal Opportunity and Affirmation Action Plan* (June 2019) if other Federal or State funding EEO/AA requirements are not specified.

Schenectady County Purchasing Policy

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PROFESSIONAL SERVICES:

Professional Services require specialized or technical skills, expertise or knowledge, the exercise of professional judgment, or a high degree of creativity. Article 5A, Section 104-B of NYS GMU states that “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, request for proposals, request for qualifications, recruitment, or open acceptance of proposals. Professional services contracts awarded with State or Federal funds must comply with any additional laws or requirements specified.

Process: When Professional Services are required, the requesting department should consult with the Purchasing Agent, County Attorney, and Finance Commissioner to determine the best method for solicitation, evaluation, and selection of proposals. Once a proposal is selected, the County Attorney prepares a Professional Services Contract which must be approved and signed by the County Manager.

OTHER SERVICE AGREEMENTS:

Maintenance Agreements: Maintenance agreements for new or existing equipment are procured and administered by the Purchasing Agent.

Information Technology Services and Software: Computer and other technology services and software licenses are procured by the Purchasing Agent, after review and consultation with the Department of Information Services.

Other Equipment Leases/Rentals: Equipment leases and rental agreements are procured by the Purchasing Agent, in consultation with the Finance Department and the County Attorney.

Specialized Services: Other services unique to individual departments are procured in consultation with the Purchasing Agent, Finance Commissioner, County Attorney, and County Manager.

PURCHASING PROCEDURES MANUAL:

The County Purchasing Department maintains a detailed manual which includes specific instructions, processes, and procedures for departmental orders, receipts, and payment authorization.

Schenectady County Purchasing Policy

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Sources and References:

- New York State General Municipal Law: Article 5A: § 103 and 104 (Procurement)
- New York State Finance Law: Article 11: § 162 (Preferred Sources)
Article 11: § 163 (Services & Commodities)
- New York State Labor Law: Article 8 (Public Works)
Article 23 (Apprenticeship Programs)
- New York State Technology Law: Article 3 (Electronic Bids)
- Laws of Schenectady County: Chapter 95: Ethics and Disclosure Law
Local Law 1 of 2013: (Best Value Basis of Award)
Resolution 119-20: (Electronic Bids)
- Schenectady County Policies: Fraud Waste and Abuse Prevention Policy
Equal Opportunity and Affirmative Action Plan
- Office of the New York State Comptroller: *Seeking Competition in Procurement* (June 2016)

ATTACHMENT A

EXCEPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

(Per New York State GMU Article 5A, Sections 103 and 104)

- (1) **Existing State, Municipal, and Federal Contracts:** Purchases of commodities and public works may be made under existing contracts with New York State (Office of General Services), NYS municipalities, and the Federal government where permitted. Departments should consult with the Purchasing Agent to determine the availability of existing State and municipal contracts.
- (2) **Consortiums and Cooperative Purchasing Contracts:** Some commodities can be ordered through established national and regional cooperative purchasing contracts such as:
 - Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)
 - U.S. Communities Government Purchasing Cooperative
 - NASCO Valvepoint
 - National Joint Powers Alliance (NJPA), or the HGAC Buy Cooperative Purchasing Program.

Departments should consult with the Purchasing Agent to determine the availability and process for utilizing cooperative purchase agreements.

- (3) **Emergency Procurement:** Emergency situations are defined 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” In an emergency, the Purchasing Agent has the authority to make expenditures below the legal competitive bid thresholds without seeking quotes. A written description of the emergency must be provided, to document the expedited process. If the situation requires purchases or contracts above the legal bid threshold, the County Manager must authorize the expenditure by declaring the County emergency in writing.
- (4) **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 also be approved by the County Manager.
- (5) **Hospital Purchases:** 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. Per *OSC Opinion 89-2* the Glendale Nursing Home qualifies as a “municipal hospital”.
- (6) **Preferential Vendors:** Purchases from agencies for the disabled, agencies for the blind, and correctional facilities are exempt from competitive bidding. County departments are encouraged to purchase materials, supplies, and equipment from these entities whenever possible. More information about preferred sources can be found at <https://ogs.ny.gov/procurement/preferred-sources>.