

## LAW AND FINANCE COMMITTEE MINUTES

MAY 9, 2007 – 4:00 P.M.

Present: Chairman Hargrave; Supervisors Gutheil, A. Johnson, M. Johnson, Peck, Thompson, Wood, Trottier, Wormuth, Barrett, Connors, Grattidge, Richardson, Daly and Lawler; David Wickerham, County Administrator; Mark Rider, County Attorney; John Ciulla, Public Defender; Sam Pitcherale, Treasurer; Sandi Cross, Office for the Aging; Bob Mitchell, Veterans; Joanne Bosley, Real Property; Paul Lent, Emergency Services; Dan Butler, Animal Shelter; Jason Kemper, Planning; Wes Carr, Water Coordinator; Jim DiPasquale, Sewer District #1; John Murray, County Auditor; John Nolan, County Chairman; Dale Angstadt, Mental Health; Barbara Thomas, Anne Magnuson, League of Women Voters; Jack Kalinkewicz, Personnel; Press.

Chairman Hargrave called the meeting to order and welcomed all in attendance.

**On a motion made by Mrs. Johnson, seconded by Mr. Wood the minutes of the April 11, 2007 meeting were approved unanimously.**

**On a motion made by Mr. Peck, seconded by Mrs. Johnson the following were approved unanimously.**

### **VETERANS COMMITTEE**

- **Authorizing the Chairman to enter into agreements with the State of New York to accept a \$5,000 grant for computer equipment.**

**On a motion made by Mr. Gutheil, seconded by Mr. Wood the following were approved unanimously.**

### **SOCIAL PROGRAMS**

- **Proclaiming May as Senior Citizen's Month in Saratoga County.**
- **Commending the Social Services Department for receiving the Child Support Achievement Award.**
- **Authorizing the Chairman to accept an additional \$37,053 in Community Services for the Elderly (CSE) funding and amending the budget in relation thereto.**
- **Authorizing the Chairman to enter into an agreement with Peggy A. Ghanime to provide dietary services to the Office for the Aging at a cost of \$35 per hour, and not to exceed 936 hours annually.**

- **Authorizing the Chairman to accept \$592,795 in Federal Funding for the ERA Program Year 2007 and authorizing funding applications and contracts.**
- **Authorizing the Chairman to accept \$113,657 in TANF Summer Youth funding and amending the 2007 budget.**
- **Authorizing the Workforce Investment Board for program year 2007 for \$83,675 and authorizing the Chairman to enter into agreements with Warren and Washington Counties and other entities to fund WIB services.**
- **Authorizing the Chairman to enter into a renewal agreement with Adirondack Community College for the Workforce Investment Board staffing services from July 1, 2007 through June 30, 2008 for a sum not to exceed \$73,175.**
- **Authorizing the Chairman to enter a renewal agreement with Cornell Cooperative Extension to administer the 2007 Workforce Investment Act Youth Program at a cost not to exceed \$45,000.**

Mr. Wickerham said the Child Support Achievement Award primarily deals with having the highest determinations of paternity and the highest support enforcement for any medium size county in the state.

Mr. Wickerham said there was only one response to the RFP with regard to a dietician for the Office for the Aging. A second RFP was sent out with four responses. The low proposal was from Peggy Ghanime at \$35 per hour. The total hours allowed are 936, with a yearly salary of approximately \$37,000.

**On a motion made by Mrs. Johnson, seconded by Mr. Peck the following were approved unanimously.**

**PUBLIC HEALTH**

- **Recognizing May 13<sup>th</sup> – 19<sup>th</sup> as “National Nursing Home Week” in Saratoga County.**
- **Amending the 2007 County Budget under Mental Health to accept State aid and authorizing the Chairman to enter into the necessary contracts as follows:**

|  |                 |
|--|-----------------|
| <b>820 River Street, Inc.</b>                  | <b>\$2,016</b>  |
| <b>Saratoga Bridges</b>                        | <b>\$2,613</b>  |
| <b>Community Human Services</b>                | <b>\$282</b>    |
| <b>Community Work and Independence, Inc.</b>   | <b>\$136</b>    |
| <b>Franklin Community Center</b>               | <b>\$828</b>    |
| <b>Mechanicville Area Community Center</b>     | <b>\$168</b>    |
| <b>Saratoga Center for the Family</b>          | <b>\$135</b>    |
| <b>Shelters of Saratoga</b>                    | <b>\$672</b>    |
| <b>Transitional Services Association, Inc.</b> | <b>\$31,700</b> |

|   |                                    |
|---|------------------------------------|
| <b>United Cerebral Palsy for the Tri-Counties, Inc.</b> | <b>\$182</b>                       |
| <b>Unlimited Possibilities</b>                          | <b>\$23,482 for UP programs</b>    |
| <b>Northeast Career Planning</b>                        | <b>\$10,037 for employ program</b> |

Mr. Wickerham said these are a series of contracts for the Mental Health Department. The community services board is the umbrella organization for all the mental health, developmental disability and substance abuse agencies within the county. Legislation was approved to increase the cost of living for caregivers in those areas last year. This will amend the budget to allow those cost of living adjustments to go to each of the agencies, with no cost to the county.

**On a motion made by Mr. Peck, seconded by Mr. Johnson the following were approved unanimously.**

**ECONOMIC DEVELOPMENT**

- **Authorizing the Chairman to accept a member item grant of \$35,000 for the purchase of computer equipment for the Planning Department.**
- **Authorizing the Chairman to enter into an agreement with Trinity Construction, Inc. at a cost not to exceed \$38,923 for the construction of the Zim Smith mid County Trail.**

Mr. Wickerham said the \$35,000 member item grant would be used for computer equipment in coordination with the GIS program. This is a grant through Senator Bruno's office.

Mr. Wickerham said construction bids were sent out with regard to the Zim Smith trail with four respondents. The low bid was from Trinity Construction, Inc. at \$38,923.

**On a motion made by Mr. Wood, seconded by Mrs. Johnson the following were approved unanimously.**

**EQUALIZATION AND ASSESSMENT**

- **Accepting two tender offers in the Town of Greenfield totaling \$19,565.35 for taxes owed in 2004-2006.**
- **Canceling taxes on parcels in the Towns of Clifton Park (8), Ballston (1), Malta (3), Milton (1), Stillwater (1), and Wilton (1).**
- **Authorizing the Chairman to enter into an agreement with NYS Office of Real Property Service to accept \$110,000 Technology Improvement Grant.**

Mr. Wickerham said with regard to item two, these are either town roads or private roads that have no real value, and thus cannot be sold at auction. The County cancels the taxes and asks the Assessor to put a zero assessment on them, so no new taxes develop.

The third item is an agreement with the State office of Real Property Services to accept a Technology Improvement Grant in the amount of \$110,000. This will dovetail with the current GIS system and allow for on line capability of all the assessment information on parcels.

**On a motion made by Mrs. Johnson, seconded by Mr. Wood the following were approved unanimously.**

### **LEGISLATIVE AND RESEARCH**

- **Urging the NYS Legislature to amend the recently adopted Workers' Compensation Reform Legislation to include benefit increases for volunteer fire and ambulance workers.**
- **Supporting the mission of the Hudson-Fulton-Champlain Quadricentennial Commission and requesting designation as an Explore NY 400 Community.**

Mr. Wickerham said the second item is the Hudson-Fulton-Champlain Quadricentennial Commission, which deals with the exploration of the Hudson River. By supporting the mission it will put the county in line, to allow towns in the county to apply for grants for celebrations for the Quadricentennial.

**On a motion made by Mr. Johnson, seconded by Mr. Peck the following were approved unanimously.**

### **PUBLIC SAFETY**

- **Requesting NYS Senate & Assembly support of Home Rule Legislation allowing Saratoga County to establish a Wireless 911 surcharge.**
- **Authorizing the Chairman to enter into an agreement with the Village of Corinth to provide law enforcement services at an annual cost of \$298,800 and amending the budget and compensation plan in relation thereto.  
BUDGET IMPACT: This contract will start on June 1, 2007 and will require an additional \$174,300 in expenses and revenues in 2007.**
- **Approving a settlement agreement with Interact Public Safety Systems accepting their reimbursement of \$91,003.30 as full satisfaction of all outstanding claims.**
- **Authorizing the Chairman to enter into an agreement with Verizon for 911 System Equipment Maintenance and amending the 2007 budget to appropriate \$306,889 for expenses related to the purchase of a five-year maintenance agreement.**

- **Authorizing the Chairman to accept a \$36,000 Violence Against Women Grant from the State in the District Attorney's Office.**
- **Authorizing the Chairman to accept a \$35,000 Road to Recovery Grant from the State in the District Attorney's Office.**
- **Authorizing the Chairman to accept a \$70,000 Auto Theft/Insurance Fraud Grant in the District Attorney's Office for the prosecution of auto theft and insurance fraud crimes.**
- **Authorizing the Chairman to accept a \$56,972 Aid to Prosecution Grant in the District Attorney's Office for assistance in the prosecution of crimes.**
- **Authorizing the Chairman to accept a \$21,164 Aid to Defense Grant in the Public Defender's Office for enhanced defense services designed to expedite the processing of violent and serious felony cases.**
- **Authorizing the Chairman to enter into a Preliminary Partnership Agreement with the Statewide Wireless Network.**
- **Authorizing the Chairman to accept an Emergency Management Performance Grant in the amount of \$48,728.**

Mr. Wickerham said the Village of Corinth is looking to abolish their police agency and has asked the Sheriff to provide those services as he has done in Clifton Park, Halfmoon and Wilton. There will be an added cost of \$298,800 for the comp plan. This will include the creation of four positions and amending the budget as well. For this year there will be an impact of \$174,300 based on when the service can start, which is June 1<sup>st</sup>.

The third item deals with the wireless 911 system. Due to the fact that the original contractor was not able to do all the things that were required, they have been removed, and a different contractor has been chosen. The Sheriff has since had discussions with the original contractor with regard to what they were entitled to because they were paid the full amount. A rebate is being paid to the county in the amount of \$91,0003.03, as full satisfaction of all outstanding claims.

The fourth item is a maintenance contract for the wireless 911. By choosing the five-year maintenance contract the total cost is slightly smaller at \$306,889, which will have to be appropriated from the fund balance, he said.

**On a motion made by Mrs. Johnson, seconded by Mr. Wood the following was approved unanimously.**

**PCB DREDGING**

- **Authorizing the reimbursement of legal expenses incurred by municipalities within Saratoga County for litigation related to the dredging of the Hudson River in an amount not to exceed \$100,000.**

Mr. Wickerham said the PCB Committee has authorized reimbursement of legal expenses in an amount not to exceed \$100,000 relative to litigation by towns with regard to drinking water. If approved the money will be transferred out of the contingency account.

Mrs. Johnson stated, this appears to be a Town issue.

Mr. Lawler said this is more than just a singular town issue. There are three communities that will be affected, Halfmoon, Waterford and the City of Mechanicville. Approximately 33,000 people will be affected representing approximately 15% of the county population. This is an urgent county problem, whereby, not only will residents be affected, but also the pace of growth.

Mr. Lawler said after meeting with the EPA for four years, and receiving correspondence, from the EPA, pledging to provide the financing for an alternative water supply. The conclusion is that they have asked the towns to filter the water. Upon questioning the EPA if they can guarantee the water will be safe, they have said no. Given the fact that the dredging is scheduled to begin in 2009, their delay, inattention and lack of leadership with regard to this issue has put the towns in a position to act as quickly and strongly as possible. Mr. said they are simply asking the EPA to give the towns the same consideration as they give the fish.

Mr. Lawler said he no longer believes that the EPA is managing the Dredging Project in good faith with regard to the communities on the river.

Mr. Lawler said looking back at the history of the PCB project and the various river communities in the area have tried to work with the EPA it has almost universally been on deaf ears. What has happened now, it that the EPA is under such pressure from the environmental groups and certain elected officials to move forward with the project and under pressures from GE to do it as cheaply as possible. This is the first example of the river communities looked at as the odd men out. This is a byproduct of a decision to get the project done as quickly as possible and inexpensively as possible.

Estimates were given to the EPA at their request, at what it would cost to solve this problem and in an effective safe way. Those estimates were approximately \$15 million. This is approximately 2/10 of 1% of the cost of the entire project, he said. For the sake of 2/10 of 1% the EPA is willing to endanger the lives of 33,000 people. This is a ten-year project, and one thing that has been learned from PCB research is that the exposure is cumulative, he said.

### **SUPERVISOR'S ITEM**

- **Honoring the memory of Arthur Eggleston former Supervisor from the Town of Corinth and General Services Director.**

## **LAW AND FINANCE**

**On a motion made by Mr. Peck, seconded by Mr. Wood the following was approved unanimously.**

- **Authorizing the Chairman to enter into an agreement with Wales Engineering for professional services to design, administer and inspect upgrades to the Crescent Estates and Grooms Road pump stations for the Sewer District at a cost not to exceed \$54,910.**

Mr. Wickerham said the first item is a contract for the engineering for the Crescent Estates and Grooms Road pump stations. The Sewer District received six bids with the low bid from Wales Engineering in an amount not to exceed \$54,910.

**On a motion made by Mr. Johnson, seconded by Mrs. Johnson the following was approved unanimously.**

- **Authorizing the Chairman to accept the Army Corp of Engineer's permit for the Countywide Water Project.**

Mr. Pitcherale distributed a copy of the General Fund Summary of the Fund Balance Fiscal Year Ended December 31, 2006 to all committee members for their review.

- **Authorizing the distribution of \$5M from the County Fund Balance to the Towns and municipalities.**

Mr. Wickerham said the 2007 budget was adopted and approved by the Board of Supervisors it was promised to review the financial distribution to see if another distribution to taxpayers would be possible. The fund balance as of December 31, 2006 was \$34.1 million. Since the books have closed over the past five months the Board of Supervisors has appropriated an additional \$3 million for either projects or contracts. The current fund balance to date is \$30.8 million. Of that amount \$4.8 million must be set aside as a potential for a short-term loan to the water authority. This money will be reimbursed back to the county with interest, but at this point should not be considered available at this point for distribution, he said. This would bring the fund balance to approximately \$26 million.

**A motion was made by Mr. Thompson, seconded by Mr. Johnson to approve the distribution of \$5 million of the County Fund Balance to the Towns and Municipalities – Discussion followed.**

Mr. Gutheil said he likes the idea of stability and the five-year plan that the county has been on for a number of years. By the same token, if we can adequately assess how much we don't need, he is all for giving back to the people in the form of services or budgets, etc. He suggested tabling the resolution to distribute money from the fund balance until there is a clearer vision of what future expenses will be.

Mr. Wood said as much as he would like to see money distributed back to the local towns, perhaps we should make the decision in a couple of months, giving time for a more precise financial picture.

**A motion was made by Mr. Gutheil, seconded by Mr. Wood to table the resolution to distribute \$5 million of the County Fund Balance to the Towns and Municipalities. Unanimous.**

Mr. Wickerham said he would report back to the committee in July with an update on the fund balance.

**On a motion made by Mrs. Johnson, seconded by Mr. Peck the meeting was adjourned.**

Respectfully submitted,  
Chris Sansom