

LAW AND FINANCE COMMITTEE MINUTES

JULY 15, 2009 – 4:00 P.M.

Present: Chairman Peck; Supervisors Daly, Grattidge, Hargrave, Sausville, Thompson, Wood, A. Johnson, Veitch, Raymond, Wright, Southworth, and Yepsen; Spencer Hellwig, Mgmt. Analyst; Dan Butler, Animal Shelter; Mark Rider, County Attorney; Janet Glenn, Public Health; Jason Kemper, Planning; Jack Murray, County Auditor; Sam Pitcherale, Treasurer, Paul Lent, Emergency Services; John Ciulla, Public Defender; Denny Finneran, League of Women Voters; Press.

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

On a motion made by Mr. Hargrave, seconded by Mr. Sausville the minutes of the June 10, 2009 meeting were approved unanimously.

Mr. Pitcherale gave a brief report on the bond sale as follows: For the Sewer expansion the county went out to a band sale last year and rolled several of the bands into bonds in the amount of \$23 million. The county did receive from Moodys a Aa2 rating, which was the same as before. \$23.7 million in bond anticipation notes was put out for additional funding for the sewer project, for a total funding for the project of \$46.7 million. The proceeds will be coming in next week and directly wired to the account, he said. Piper Jaffray Company presented the winning bid for the 30-year bonds with an effective net interest cost rate of 4.54%. The Piper Jaffray interest rate will start at 3% for the first year and then be maintained at 4% for the next 14 years. There were five bid proposals with the highest net interest cost of 4.82%. When the bands came in there were six bidders. TD Securities came in and took the \$23.7 million in two parts; \$5 million at a stated interest rate of 1.50% with a premium paid of \$53,000 and a net interest cost of \$21,000. The effective net interest rate is .425%, which is a very good rate on a short-term band. The balance on the \$23 million is \$18.7 million with an effective net interest rate of .4329%.

Mr. Pitcherale said some of the reasons that the County's rating is so good from Standard and Poor is that, the rating reflects the county's growing and manufacturing economy, participation in the Albany/Schenectady/Troy metropolitan area, strong wealth and income levels in Saratoga County, healthy financial position, and low debt burden.

Mr. Pitcherale said Standard and Poor considers Saratoga County's financial management practices good under Standard and Poor financial management assessment methodology. This indicates that financial practices exist in most areas that government officials might not formalize or regularly monitor, but the county is doing a good job. Conservative budget practices take into account the actual historical and current trend.

Mr. Peck said great rates would help with the success of the sewer district, and continue to provide the high quality of life in Saratoga County with a low tax rate.

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

PUBLIC HEALTH

- **Authorizing the creation of a \$500 escrow account for Maplewood Manor to pay for electronic finger printing of employees with access to patient rooms in accordance with the requirements of the NYS Criminal History Record Check Program.**
- **Amending the Public Health Nursing Services policy and procedures manual pursuant to regulations for Certified Home Health Agencies.**

Mr. Wickerham said the county is required to do background checks of all employees of the nursing homes, specifically on anyone who has access to patient rooms. The firm that was appointed by the State, to do business with, does not accept vouchers; therefore, an escrow account will be setup.

A copy of the Public Health Nursing Services Policy and Procedures Manual has been distributed in each Supervisor's mailbox. The only change was a new protocol in dealing with the RSV virus, and administering shots for that.

On a motion made by Mr. Thompson, seconded by Mr. Grattidge the following was approved unanimously.

BUILDINGS AND GROUNDS

- **Naming the Saratoga County Board of Supervisors as lead agency in the SEQR review of the Saratoga County Animal Shelter building project.**

Mr. Wickerham said this item is an administrative step, naming the Board of Supervisors the lead agency for SEQR for the County Animal Shelter. They will be required to review it and sometime next month make a declaration of whether there is a negative or positive impact

On a motion made by Mr. Grattidge, seconded by Mr. Thompson the following were approved unanimously.

EQUALIZATION AND ASSESSMENT

- **Canceling taxes on non-exempt parcels in the Towns of Clifton Park, Halfmoon, Moreau, Northumberland, Saratoga and Wilton in the total amount of \$4,727.44.**

- **Canceling tax bills on exempt parcels in the towns of Malta, Northumberland, Waterford and Wilton totaling \$4,385.87.**

Mr. Wickerham said the first item is a cancellation of non-exempt parcels, primarily subdivision roads. Often times the person who has the subdivision will have all the different tax maps drawn and sell off all the parcels. At that time they stop paying for the roads and they end up being foreclosed on. In those cases, the county has been working with the County Attorney and local assessors to zero out the taxes on the parcels, as they have no value, and return them to the municipalities involved.

The second item is exempt parcels that are owned either by the State or local government.

On a motion made by Mr. Grattidge, seconded by Mr. Hargrave the following were approved unanimously.

PUBLIC SAFETY

- **Accepting a \$68,352 grant from the New York State Crime Victims Board for expenses related to crime victims advocacy.**
- **Authorizing the Chairman to accept an Aid to Prosecution Grant in the District Attorney's Office in the amount of \$49,900.**
- **Authorizing the Chairman to accept an Aid to Defense Grant in the Public Defender's Office in the amount of \$18,700.**
- **Authorizing the Chairman to apply for and accept \$108,977 in Local Enhanced Wireless 911 funding from the New York State Department of State and amending the budget in relation thereto.**
- **Authorizing the Chairman to enter into an agreement with Advanced Network Services for construction of a tower and site improvements on Fraker Mountain at a cost of \$121,572.**

Mr. Wickerham said the first three items are grant programs that were already in the budget. There were cuts in all areas, as the State has cut aid. The shortfall will be approximately \$10,000.

The fourth item is with regard to the enhanced 911 system. There was a large amount of money that was to be used for equipment and to ready the facility. There is still approximately \$110,000 left that the Sheriff would like to apply for to use for computers and other equipment for the center.

The final item is the bid for the tower and improvements on Fraker Mountain. There were four bids with \$121,572 from Advanced Network as the low bid. The funds were already included in the bands for the project; therefore, there will be no budget impact.

On a motion made by Ms. Daly, seconded by Mr. Hargrave the following were approved unanimously.

ECONOMIC DEVELOPMENT

- **Appropriating \$550,000 of fund balance to fund the construction of the Zim Smith Trail going from Zepko Lane to Oak Street in the Village of Ballston Spa with the total project cost of \$1.4 million.**
- **Supporting the Sacandaga Protection Committee in their efforts to protect the interest, environmental and legal actions of the Great Sacandaga Lake Community.**

Mr. Wickerham said the first item is a request to appropriate \$550,000 of fund balance for the construction of the Zim Smith Trail. This total cost to complete the trail is approximately \$1.4 million. Approximately \$880,000 is expected through federal stimulus funds.

The second item is support for the Sacandaga Protection Committee consisting of a group of property owners around Sacandaga Lake who have banded together. A couple of months ago there was a resolution asking the Hudson River/Black River Regulating District to slow down their process and to get more input from the people who live there. The Governor felt the same and stopped the rule making process and ordered the Hudson River/Black River to do more outreach before putting the new rules up for adoption. The Sacandaga Protection Committee is trying to secure the endorsement of many of the surrounding towns and counties so they can be on more of an even playing field when dealing with the Hudson River/Black River Regulating District.

Mr. Sausville said approximately one month ago there was a petition to the regulating district to hold public hearings to hear everyone's view on the issue. This resolution is supporting a particular position that would give the Sacandaga Protection Committee the ability to fight in court any position made by the regulating district. This seems to be a dangerous step to take given the fact that the Board of Supervisors represents everyone in the county. We haven't had any feedback from the Hudson River/Black River Regulating District. Mr. Sausville said he isn't sure if he will support the resolution for two reasons: First, it does set this committee against the regulating district prematurely; on the other hand, we have not had any feedback from the regulating district to justify why they want to change the policy, and why it is in the public's best interest to do that.

Mr. Sausville said he would like to hear the justification for opposing the regulation by the Black River/Hudson River regulating district before he makes a decision.

Mr. Peck said the committee is supporting the regulating district for more open government, and to be a better player.

Mr. Wickerham read the resolution as follows: Be it resolved, that Saratoga County does hereby support the Sacandaga Protection Committee and their effort to protect the environmental and economic interests of the Great Sacandaga Lake community and to assist with legislative actions relative to the lake region.

Ms. Raymond said months and months have gone by with one way communication and no response from the regulating district. The Sacandaga Protection Committee met and then the Board of Supervisors met and passed a very far-reaching resolution without so much as a question as to why we are doing this. The creation of the committee came about because there has been no communication. I would welcome a letter to the district inviting them to communicate back, she said.

Ms. Raymond said the Great Sacandaga Lake Association has been around for a very long time. It is an association of people that are on the lake. Their mission is to ensure the quality of the water is protected, and the interests of the people on the lake are protected. Their by-laws and their corporation preclude them from any legal action or legislative action. They were instrumental, initially, in calling together lake people in the latest round of concerns, and out of that was the creation of the Sacandaga Protection Committee. The protection committee's mission is to do those things that the lake association can't do, such as hire lawyers, not necessarily to take legal action, but to advise the lake community on issues. With regard to public access, every community on the lake has a public beach. The protection committee would like to have a voice that the regulating district has to answer to, listen to, and reply to.

Ms. Raymond said, the lake community is not just the people who have property around the lake, but the entire community. If the people that surround the lake have their property values devalued by public access and other things that are being proposed, they will ask for their assessments to be grieved and their assessments will be lowered. This will cause an expense to the people that are not on the lake and will cause havoc in the county with county assessments.

Ms. Daly thanked the Economic Development for supporting the Zim Smith Trail project and Mr. Kemper for all the work that he has given to the committee. We finally have reached what we think is the light at the end of the tunnel and look forward to completing the trail.

Mr. Peck requested that the approval of the resolution be forwarded on to the Hudson River/ Black River Regulating District.

CHAIRMAN'S ITEMS

- **Appointing Joseph Kearney from the City of Mechanicville as Commissioner to the Saratoga County Sewer District #1 for the remaining term of former Commissioner Lefner.**
- **Appointing Donald Ranck to the Fire Advisory Board for a term expiring 12/3/109.**

On a motion made by Mr. Hargrave, seconded by Mr. Grattidge the following was approved unanimously.

LAW AND FINANCE

- **Authorizing the Chairman to enter into an agreement with Saratoga Gaming & Raceway in an amount not to exceed \$20,000 for the host event for the NYSAC conference to be held September 16 – September 18, 2009.**

Mr. Wickerham said Saratoga County would be hosting the NYSAC dinner for all the Counties in the State. In addition, a number of businesses in the area have reached out to sponsor various events for the conference.

On a motion made by Mr. Hargrave, seconded by Mr. Grattidge the meeting was adjourned.

Respectfully submitted,
Chris Sansom