

Law & Finance Committee Minutes
January 13, 2010 – 4:00 p.m.

Present: Chairman Wood; Supervisors Daly, Grattidge, A. Johnson, Sausville, Thompson, Wormuth, Southworth, Wright, M. Johnson, Jenkins, Lucia, Hargrave, Kinowski, Rowland and Peck; David Wickerham, County Administrator; Jasper Nolan, Republican Chairman; Dan Butler, Animal Shelter; John Murray, Auditor; Bill Davis, Jim DiPasquale, Sewer District; Joe Ritchey, Public Works; Janet Glenn, Public Health; Sam Pitcherelle, Treasurer; Paul Lent, Emergency Services; Spencer Hellwig, Mgmt. Analyst; Jason Kemper, Planning; Press.

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

On a motion made by Ms. Daly, seconded by Mr. Grattidge the minutes of the December 9, 2009 meeting were approved unanimously.

Chairman Wood appointed Mr. Thompson as committee Vice Chairman. Mr. Thompson accepted.

PUBLIC HEALTH

- **Amending Resolution No. 180-2009 to extend the grant for Children with Special Health Care Needs (CSHCN) for an additional two years through September 30, 2014.**
- **Authorizing the Chairman to enter into an agreement with NYS Department of Health to accept a \$694,052 grant for Public Health Preparedness for the period of August 10, 2009 to August 9, 2010.**

Mr. Wickerham said last year the county accepted a grant from the Special Healthcare Needs program for children. It was presented as a three-year program, but in fact, it is going to be for five years. The county will receive approximately \$26,000/yr. for each of the five years. This would require an amendment to the resolution to include the additional two years, which will take it to September 30, 2014.

The second item is to accept a grant for the Public Health Preparedness program. The total amount will remain the same and is included in the 2010 budget.

On a motion made by Mrs. Warmth, seconded by Mr. Johnson the above resolutions were approved unanimously.

BUILDINGS AND GROUNDS

- **Authorizing the Chairman to grant easements along the Zim Smith Trail to the Clifton Park Water Authority for as long as the authority is purchasing water from the County Water Authority.**
- **Reappropriating \$1,457,778 in revenues and expenses for Airport and Building projects undertaken, but not completed in 2009.**
- **Introducing a Local Law to facilitate the lease of County property to the Town of Milton for the consideration of \$1 per year and setting February 10, 2010 at 4:45 p.m. in the County Board Room as the date, time and place for the public hearing.**

Mr. Wickerham said the first item is authorization for easements on the Zim Smith Trail. The Clifton Park Water Authority is going to purchase water from the County Water Authority. The County pipe is in the right of way that belongs to the county sewer district, which is also where the Zim Smith Trail is. This resolution would authorize Clifton Park to connect to that water pipe for \$1. In addition, Clifton Park already has lines across other parts of the Zim Smith Trail; therefore, the County will give them easements to the other sections along the trail where they need access as well.

Mr. Wickerham said the county receives FAA funds to improve the airport and some projects could not be done in 2009 because money was not available. The money will need to be reappropriated. There is also a building project that needs to be reappropriated for a total of approximately \$50,000. The county portion of the projects will be \$110,000.

Mr. Wickerham said it would take a local law to facilitate a lease with the Town of Milton to have them lease the former Red Cross Building owned by the County at the airport for a nominal consideration of \$1 per year.

A motion was made by Mr. Johnson, seconded by Mr. Grattidge to approve the above resolutions as stated. Unanimous.

PUBLIC WORKS

- **Reappropriating \$5,776,596 in expenses and revenues under Public Works for engineering and construction costs related to six bridge projects and one traffic signal.**

Mr. Wickerham said at the end of last year the County received some stimulus money as well as some HBRR projects that were not completed. This resolution is a reappropriation of approximately \$5.7 million in expenses and revenues. The local share for the HBRR projects is \$113,462. The two stimulus projects were the bridge over Stewarts Dam and the bridge over Geysers Road.

EQUALIZATION AND ASSESSMENT

- **Authorizing the County Auditor to approve tax correction and refunds less than \$2,500.**

- **Accepting a tender offer on a parcel in the Town of Malta in the amount of \$14,334.48.**

Mr. Wickerham said in order to move things along more quickly, any tax corrections or refunds under \$2,500, the authority has been given to the County Auditor to move forward provided there is approval from the County Treasurer and the Real Property Tax Director.

On a motion made by Mrs. Wormuth, seconded by Mr. Thompson the above resolutions were approved unanimously.

PERSONNEL AND INSURANCE

- **Amending the Policy and Procedures Manual to establish a Saratoga County Medicaid Corporate Compliance Program.**
- **Appropriating \$176,000 from the Self-Insurance Fund Balance to accommodate increased care costs.**

Mr. Wickerham said the county currently has a Corporate Compliance Program in each of the departments that accept Medicaid money. The Office of the Medicaid Inspector General also believes that the County, as the overriding agency, must have a corporate compliance program. A program has been established and put in each Supervisors mailbox.

Mr. Wickerham said there were more Self-Insurance costs in 2009 than were budgeted. The money will be taken out of the Self-Insurance Fund Balance to accommodate increased costs. There is still \$9 million in the fund balance, so it is not in danger of depletion.

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

PUBLIC SAFETY

- **Amending the 2010 budget under the Animal Shelter to reappropriate \$47,775 in expenses and revenues for a Homeland Security Grant for companion animal disaster shelter and supplies.**
- **Authorizing the Chairman to enter into an agreement with the Town of Lake Luzerne to obtain the necessary radio tower easement for the 911 Emergency Radio System.**
- **Amending the 2010 budget under Emergency Services to reappropriate \$141,944.02 in expenses and revenues for a Homeland Security Grant.**

- **Amending the 2010 budget under the Sheriff's Department to reappropriate \$186,754.56 in expenses and revenues on a variety of grants as follows: \$10,193.84 Homeland Security Grant and \$176,650.72 Wireless 911 Grant Funds.**
- **Appointing a change order subcommittee for the Radio System Project.**

Mr. Wickerham said there are three Homeland Security Grants to be reappropriated; Mobile Disaster Shelter for the Animal Shelter, Emergency Services portion of the Homeland Security Grant, and the Sheriff's portion of the Homeland Security Grant, as well as a small Wireless 911 grant. All grants are 100% funded through Homeland Security.

The second item is an agreement with the Town of Lake Luzerne to use the water tower. An eminent domain proceeding took place and the county now has the access to it. The agreements will be for a nominal fee of \$1. However, in the event that cell towers are placed, there is wording to make the Town of Luzerne whole and allow them to participate in the revenues.

Mr. Wickerham said there was a change order subcommittee appointed last year, but several of the members are no longer on the Public Safety Committee; therefore, a new subcommittee will be appointed. Mrs. Wormuth said she, Mr. Johnson and Mr. Wright have been appointed to the subcommittee.

On a motion made by Ms. Daly, seconded by Mr. Johnson the above resolutions were approved unanimously.

CHAIRMAN'S ITEM

- **Appointing Paul Loomis of the town of Malta to the County Planning Board to fill the unexpired term of Chris Barclay.**

LAW AND FINANCE

- **Authorizing the Chairman to enter into a contract with Delaware Engineering to provide technical support in the development and review of the Saratoga County Sewer District's Wastewater Discharge Permit for the Global Foundry facility at a cost not to exceed \$20,000.**

Mr. Wickerham said the sewer district currently has a contract with Delaware Engineering to provide technical support to ensure the county stays within the permit. In the past the total amount has been to a maximum of \$10,000 to stay within a minor contract approval. Last year it was discovered that they would have to be there more often and the amount would go over \$10,000. Rather than having to come to the Board of Supervisors on a regular basis, it was thought to be better to have the Board approve not to exceed \$20,000, which should carry through 2010.

On a motion made by Ms. Daly, seconded by Mr. Grattidge the above resolution was approved unanimously.

- **Amending the 2010 Budget under the Saratoga County Sewer District to reappropriate \$1,955,000 in unexpended Capital Project Funds.**

Mr. Wickerham said the Sewer District is undergoing a large capital investment and also a number of capital projects to do with the various lines that come in. They were not able to do all of them in 2009 and this resolution is a carryover reappropriating that expense to 2010.

On a motion made by Mr. Thompson, seconded by Mr. Johnson the above resolution was approved unanimously.

- **Request for an excusal of \$5,291.32 late payment penalty for delinquent occupancy tax payment for Saratoga Springs Hampton Inn & Suites.**

Mr. Wickerham said the Supervisors from Saratoga Springs have brought forth a letter asking for an excusal of a penalty from an occupancy tax payment.

Mr. Pitcheralle said there is a situation where a tax payment was received one day late and a 5% penalty has been initiated. It is the policy of the Treasurer's office not to forgive penalties. The individual has come to the county and asked for forgiveness and it was denied through the Treasurer's office. At that point the individual was referred to their Supervisor for further consideration.

Mr. Veitch said the individual is looking for a credit toward their taxes, not a refund. The penalty of \$5,291.32 seems to be a substantial penalty for one day late, and the individual is asking for a one-time exception.

Mr. Wickerham said there has never been a penalty forgiven.

A motion was made by Mr. Grattidge, seconded by Mr. Thompson to not excuse the penalty of \$5,291.32 for late taxes. Unanimous.

A motion was made by Mrs. Wormuth, seconded by Mr. Johnson to move into Executive Session for the purpose of Litigation. Unanimous.

On a motion made by Mr. Thompson, seconded by Mr. Johnson the meeting was opened to regular session.

No action was taken.

On a motion made by Ms. Daly, seconded by Mrs. Wormuth the meeting was adjourned.

Respectfully submitted,
Chris Sansom