

Law and Finance Committee Minutes

February 10, 2010 – 4:00 p.m.

Present: Chairman Wood; Supervisors Daly, Grattidge, A. Johnson, Sausville, Thompson, Wormuth, M. Johnson, Wright, Yepsen, Collyer, Southworth, Kinowski, Jenkins, Lucia, Rowland, Peck, and Veitch; David Wickerham, County Administrator; Bob Christopher, Social Services; Jason Kemper, Planning; Mark Rider, County Attorney; Joseph Ritchey, Public Works; Paul Lent, Emergency Services; John Murray, Auditor; Diane Brown, Maplewood Manor; Dan Butler, Animal Shelter; Barbara Thomas, League of Women Voters; Press.

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

On a motion made by Mr. Thompson, seconded by Mr. Johnson the minutes of the January 13, 2010 meeting were approved unanimously.

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

EQUALIZATION AND ASSESSMENT

- **Denying the request of National Grid for a reduction of \$544,000 on the tax rolls for the Towns of Hadley and Moreau.**

Mr. Wickerham said the committee is asking for denial of National Grid's request for a \$544,000 reduction on the tax rolls for the towns of Hadley and Moreau. National Grid learned that the Hydro's were exempted and they sought to seek the same consideration. They went through the courts and they were not given that consideration. They were not eligible to that kind of relief, therefore the committee turned down their request for that reduction.

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

LEGISLATIVE AND RESEARCH

- **Approving the 2010 Saratoga County Legislative Program.**

On a motion made by Ms. Daly, seconded by Mrs. Wormuth the following was approved unanimously.

ECONOMIC DEVELOPMENT

- **Amending the 2010 budget to transfer \$12,180 from the Contingency Account into the Planning Department's budget to complete trail work in the Towns of Wilton and Northumberland.**
- **Amending the boundaries of Consolidated Agricultural District #2 to include the Baillargeon Farm in the Town of Clifton Park and the Goodwin Farm in the Town of Greenfield.**

Mr. Wickerham said last year there was \$15,000 in the budget to open up some forestland for trails. Of that amount, only a small amount was spent; therefore, the Economic Development Committee is requesting the reappropriation of \$12,180 to the Planning Departments budget in order to continue work on two other trails.

Mr. Wickerham said there are two Agricultural Districts, with this one in the western part of the county. The only change would be to add new farms to the area including the Baillargeon Farm (approx. 59 acres) in the Town of Clifton Park and the Goodwin Farm (approx. 57 acres) in the Town of Greenfield.

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

RACING

- **Urging the State of New York to act expeditiously to award the VLT contract and provide NYRA with the funding stream that was promised with the racing franchise award in 2009.**

Mr. Wickerham said this has a great impact on racing in general and specifically for the 2010 racing season in Saratoga Springs.

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

PUBLIC HEALTH

- **Amending the 2009 County Budget under Maplewood Manor to increase expenses and revenues by \$140,000.**
- **Authorizing the Chairman to sign an agreement with the NYS Department of Health to accept a Safe Patient Handling Grant in the amount of \$83,005 and amending the budget in relation thereto.**

Mr. Wickerham said the first item is a year end budget for Maplewood Manor. They ran short by \$140,000; therefore the money will be taken out of the fund balance.

The second item is a grant that the county has been awarded for Maplewood Manor. The funds will be used to purchase 13 ceiling lifts, which will make it easier to lift bedridden patients.

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

BUILDINGS AND GROUNDS

- **Adopting the finding statement relative to the public necessity for acquiring an avigation easement over 8 Wydham Way in the Town of Milton.**

Mr. Wickerham said there would be a very technical finding statement that will need to be approved for the eminent domain process on the avigation easement for property near the airport. The county has established the finding that there is a public need.

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

PUBLIC WORKS

- **Authorizing the Chairman to accept Federal and State Aid in the amount of \$108,000 to complete work on the Geyser Road Bridge.**

Mr. Wickerham said the county was in line to receive stimulus funding for the Geyser Road Bridge; however, it did not qualify for the stimulus funding, therefore, the Federal and State governments have agreed to move it to the HBRR program. The county's match will be \$5,600 from the 2010 budget.

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

SOCIAL PROGRAMS

- **Authorizing the Chairman to amend the budget to accept an additional \$159,251 in State aid for the Department of Social Services to pass through to the Probation Department for juvenile delinquency services.**

Mr. Wickerham said this is a pass through grant, that comes through the Department of Social Services, that has been received for the last couple of years and is used for juvenile delinquency services. The total is substantially smaller than in the previous year where the county received \$236,000. The total for this year will be \$159,251, which will be passed to the Probation Department.

CHAIRMAN'S ITEM

- **Appointing Andrew Prestigiacmo to the Traffic Safety Board for the unexpired term of Thomas Mitchell.**

LAW AND FINANCE

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

- **Authorizing the Chairman to enter into an amended contract with TVGA for engineering services for the Grooms Road Pump Station Upgrade Project at the Saratoga County Sewer District in an amount not to exceed \$16,610.50.**

Mr. Wickerham said the first item deals with the sewer district and the Grooms Road pumping station. This was one of the reconstruction projects from 2009 where there were problems that required additional engineering costs of \$16,610. The largest part dealt with the contractor who didn't do the project properly. The county will receive \$15,820 from the contractor and the remaining \$780 deals with changes in ground conditions that are reasonable for a change in the contract.

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

- **Authorizing the support of a Capital District Youth Center, Inc. (CDYCI) NYSERDA Grant application in the amount of \$47,520.**

Mr. Wickerham said the County is part of a four-year initiative that built the Capital District Youth Center. They are applying for a NYSERDA grant in the amount of \$47,520 to do energy efficiency. This would go toward purchasing new energy efficient light fixtures. There will be no cost to the county.

A motion was made by Mr. Sausville, seconded by Mr. Thompson to adjourn to Executive Session for the purpose of Litigation. Unanimous.

A motion was made by Mr. Sausville, seconded by Mr. Thompson to reopen to regular session. Unanimous.

Mr. Wood said there are three items involving litigation that the committee will need to take action on. The first is to authorize litigation for some damage that was done to some voting machines in March 2009.

A motion was made by Mr. Grattidge, seconded by Mrs. Wormuth to authorized litigation by the County Attorney, for damage done to voting machines at the special elections in March of 2009, against both the moving company and the builder of the equipment. Unanimous.

Mr. Wood said the second item involves appealing the apportionment that has been made by the Hudson River/Black River Regulating District against Saratoga County.

A motion was made by Mr. Sausville, seconded by Mr. Grattidge to authorize the County Attorney to defend the county and to file an article 78 to engage experts in the defense of the county in this action against the Hudson River/Black River Regulating District. Unanimous.

Mr. Wood said this item concerns litigation that the county was involved with DEC regarding incidents that occurred at the county sewage plant. DEC has made an offer to Saratoga County.

A motion was made by Mr. Johnson, seconded by Ms. Daly to accept an offer by DEC which includes payment of up to \$100,000, which could be divided \$50,000 cash for credit for property on Spruce Mountain, in addition, another amount of money would have to be set aside and the county would agree to take some corrective actions to make sure these situations would not occur again. Unanimous.

Ms. Daly said in as much as we have been issued these violations on the part of DEC, the accuracy of the Saratoga County Sewer District has been phenomenal. When you look at what is recorded, it is showing a 99.98% degree of handling accuracy at the Sewer District, and the county's actions are truly to be commended. Whatever violations DEC may find, it is hopeful that they come to realize the phenomenal job the county does. When you look at the Saratoga County Sewer District, in comparison to many in this area, we really do have a state-of-the-art, highly efficient and functioning sewer district.

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

Respectfully submitted,
Chris Sansom