

Law and Finance Committee Minutes
August 11, 2010 – 4:00 p.m.

Present: Chairman Wood; Supervisors Daly, Grattidge, A. Johnson, Sausville, Thompson, Wormuth, Jenkins, Veitch, Wright, Raymond, Hargrave, M. Johnson, Collyer, Southworth, Lucia, Kinowski and Yepsen; Danny Finnernan, Barbara Thomas, League of Women Voters; Sandi Cross, Office for the Aging; Spencer Hellwig, Mgmt. Analyst; Sam Pitcherale, Treasurer; Jack Kalinkewicz, Personnel; Jay Girvin, Mark Rider, Attorney's office; John Murray, Auditor; Wes Carr, Youth Bureau; Andrew Davis, Veterans; Roger Schiera, Bill Law, Elections; Jim DiPasquale, Bernard Gurtler, Sue Duff, Richard Doyle, Sewer District; Dan Butler, Animal Shelter; Press.

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

On a motion made by Mr. Grattidge, seconded by Mr. Sausville the minutes of the July 14, 2010 meeting were approved unanimously.

EQUALIZATION AND ASSESSMENT

- **Accepting a \$20,679.45 tender offer in the Town of Malta**

Mr. Wickerham said this is a parcel that was pulled from the Auction with the condition that all taxes would be paid.

- **Canceling \$462.88 in taxes on an exempt parcel in the Town of Northumberland.**

Mr. Wickerham said this is a parcel that was acquired by DEC, which is part of a wildlife management area in Northumberland and should have been removed from the tax rolls, as it is an exempt parcel. It was not removed in time, therefore, \$462.88 in taxes will need to be cancelled.

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

SOCIAL PROGRAMS

- **Authorizing the Chairman to enter into an agreement with Community Human Services to implement the Care Links Program at a cost not to exceed \$30,000.**

Mr. Wickerham said this is a program had been administered through another agency that could no longer provide it. The total of the funding is \$30,000. It is a matching program; therefore, Community Human Services will provide the match of \$7,500.

Mr. Thompson asked what the Care Links Program was? Mrs. Cross said it is a volunteer program. The Care Links staff recruits volunteers in the communities to serve seniors in their homes who need low level services such as rides to doctor appointments, grocery shopping etc.

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

VETERANS

- **Authorizing the Chairman to sign a memorandum of understanding with the New York State Division of Veterans Affairs to provide access to its network and cooperation in dealing with Veterans claims.**

Mr. Wickerham said this will allow the county to use their network and software in tracking benefits for Veterans' who are covered under the Department of Veterans' Affairs and to make it more efficient.

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

BUILDINGS AND GROUNDS

- **Authorizing the Chairman to enter into a one-year agreement with a sixty-day termination clause with WAM Commercial Associates LLC of Ballston Spa for a total rental not to exceed \$63,840 for storage of voting machines and other Election's equipment.**

A motion was made by Ms. Daly, seconded by Mr. Grattidge to approve the above resolution. Discussion followed.

Mr. Rider said he has spoken to the vendor and they are not willing to enter into a one-year agreement with a sixty-day termination clause. They have some capital improvements that they will need to amortize over a three-year period and don't feel that they can afford to do it within one year. There were discussions about continuing with a three-year lease and having the sixty-day termination clause coming after the first year, with the first year guaranteed and then the county could terminate after the first year.

Mrs. Wormuth asked if the county was guaranteeing fourteen months with the sixty-day termination or 12 months with the sixty-day termination. Mr. Rider said the county would only have to guarantee 12 months.

Mr. Wood read the proposed amendment to the resolution as follows: **Authorize the Chairman to enter into an agreement with WAM Commercial Associates LLC of Ballston Spa for a three year period with the right to terminate after the first year at a cost of \$63,840 for the storage of voting machines and other Election's equipment.**

Mrs. Wormuth asked if there was a 3% escalation clause included? Mr. Wickerham said, yes, it is the same contract, which has an escalation clause.

Mr. Wood said if the county chose to go beyond the 12 months they would be able to terminate anytime after that by giving a sixty-day notice.

A motion was made by Mr. Grattidge seconded by Mr. Sausville to approve the amendment as stated above.

Mr. Wood read the amended resolution as follows:

- **Authorizing the Chairman to enter into an agreement with WAM Commerical Associates LLC of Ballston Spa for a three-year period with the right to terminate after the first-year at a cost of \$63,840 for the storage of voting machines and other Election's equipment.**

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

Mr. Pitcherale distributed a report on the filing of the annual audit to all committee members for their review. Toski, Schaefer and Co., which is the County's outside auditing firm, met last week with administration and went over the actual audit. This is an unqualified opinion, with no findings, no adjustments and no issues as far as the 2009 financial statements. The General Fund's unreserved fund balance as of 12/31/09 was \$24,533,065, of which \$3,180,322 was appropriated for the 2010 budget.

All seven different reports that came from the auditors are on the county website under the Treasurer's department and financial reports.

Mr. Pitcherale said last year Toski, Schaefer & Co. agreed to conduct the audit of 2009 which was suppose to be the third and final year of a contract with a different auditing firm that wanted out of their contract. Toski, Schaefer & Co. confirmed that they were willing to accept the terms of their proposal dated 8/24/07 to perform the audit for Saratoga County for 2009. Their price was less than the prior firm's contract.

Toski, Schaefer & Co, PC have offered to do the 2010 audit for the same terms (price) as the 2009 audit with an option for an additional year, again at the current fixed price. This would effectively give them up to three years of auditing for the county's financial statements at a fixed price, after which the county could send out a new Request for Proposal for auditing services, for a new three year period.

Mr. Pitcherale suggested that the Law and Finance Committee consider accepting this proposal and authorize a contract for such. After three-years it is suggested that the County go through the RFP process for the next three-year process.

- **Authorizing the Chairman to enter into an agreement with Toski, Schaefer & Co., PC to provide single audit service to Saratoga County at a cost of \$87,560.**

Mr. Grattidge asked if this was for one year? Mr. Wickerham said, yes.

On a motion made by Mr. Grattidge, seconded by Mr. Johnson the above resolution was approved by the following vote. Ayes – Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson – Naye – Wormuth.

- **Authorizing the Chairman to enter into an amended contract with Delaware Engineering for engineering services for the expansion of the Saratoga County Sewer District resulting from delays in the project at a cost not to exceed \$140,400.**

Mr. Wickerham said Delaware Engineering are the engineers that are overseeing the approximately \$50 million Sewer District expansion. This is an additional \$140,400 bringing the total contract to just over \$2 million. The primary reason is due to delays in the completion of the project from what was originally 2009 to the new completion date expected November 15, 2011.

Mr. Thompson asked who were the delays to? Mr. DiPasquale said there were construction-related delays with the contract. The overall umbrella of the project is still under budget, and the delays will not affect the cost.

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

- **Authorizing the Chairman to enter into an amended contract with Phoenix Environmental Laboratories, Inc. to increase the contract amount from \$10,000 to \$15,000 due to increased testing for the Saratoga County Sewer District plant process and NYSDEC permit review requirements.**

Mr. Wickerham said bids go out each year to get the best deal for testing of the water and materials at the Sewer Plant. Due to the fact that there were more tests to be done this year, and it is anticipated that the costs will be over \$10,000 for the year, this amendment will take care of this contract of \$15,000 for testing this year.

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

- **Authorizing the County Attorney's Office to commence a collection action against Central Halfmoon Sewer Corporation to collect an outstanding bill in the amount of \$13,630.42 for sewer maintenance at the Saratoga County Sewer District.**

Mr. Wickerham said the Sewer District has been providing service to the people in the Central Halfmoon Sewer Corporation. The Sewer Corporation has been collecting money that has not been turned over to the district and they have not been paying for the service that has been provided. A payment of \$18,000 was recently made toward their bill, but there still remains a significant outstanding balance of \$13,630.42.

A motion was made by Mr. Thompson, seconded by Mrs. Wormuth to approve the above resolution for discussion purposes.

Mrs. Wormuth said the town of Halfmoon has been working to try to get this turned over for an extended period of time. She said that she thought they were very close, but she and the town Attorney have not heard any discussion about it recently and she is surprised that it has moved to this point without trying to resolve it. We have come a long way in resolving the issues, she said. Mrs. Wormuth said she would like to have more time to discuss this with the County Attorney's office.

Mr. Thompson removed his motion.

A motion was made by Mr. Thompson, seconded by Mrs. Wormuth to table the above resolution. Unanimous.

- **Declaring an emergency at the Saratoga County Sewer District and authorizing the replacement of a failed transformer for an amount not to exceed \$40,479.17 and amending the budget in relation thereto.**

Mr. Wickerham said the Sewer District met in a special meeting to declare an emergency due to the failure of a transformer. A new transformer will need to be purchased in the amount of \$40,479.17. Currently the Sewer District is running the plant on the backup transformer.

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

On a motion made by Mr. Grattidge, seconded by Mrs. Wormuth the meeting was adjourned to Executive Session for the purpose of discussing contract negotiations. Unanimous.

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

No action was taken.

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

Respectfully submitted,

Chris Sansom