

Law and Finance Committee Minutes

April 13, 2011 – 4:00 p.m.

Present: Chairman Thompson; Supervisors Daly, Grattidge, Sausville, Veitch, Wormuth, Jenkins, Wood, Southworth, Raymond, Yepsen, Wright, Collyer, Lucia, M. Johnson, Lawler, and Hargrave; Spencer Hellwig, Administrator; Ryan Moore, Mgmt. Analyst; Richard Doyle, Bill Davis, Sewer District; D'Arcy Plummer, George Martin, Sam Pitcherelle Treasurer; Lori Stiles, Public Health; Stephen Dorsey, County Attorney; Brian O'Connor, Auditor; Diane Brown, Maplewood Manor; Daniel Butler, Animal Shelter; Joanne Bosley, Chris Aldrich, Real Property; Andrew Davis, Veterans; Denny Finneran, Barbara Thomas, League of Women Voters; Dominic Gallo, Cool Insuring; Press.

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

On a motion made by Mrs. Wormuth, seconded by Mr. Veitch the minutes of the March 9, 2011 meeting were approved unanimously.

Mr. Pitcherelle said the Annual Financial report for Saratoga County's fiscal year ended on December 31, 2010 and has been electronically filed with the Office of the State Comptroller. A copy has been sent to Data Processing for posting to the county website.

Mr. Pitcherelle said we ended the year with \$16,676,752 in fund equity, which includes the reserves as well as the Unappropriated Unreserved Fund Balance.

For the 2011 budget they planned on using, through the budget process, \$3.4 million leaving approximately \$13 million in the unreserved, unappropriated fund balance. This depends, of course, on how well the budget performs throughout the year. There are other issues that will probably come up during the year with additional revenues that may be found and additional expenditures that will be necessary. After the Annual Financial Report has been reviewed, a copy will be filed in the County Clerk's office as well as with the Clerk of the Board of Supervisors.

EQUALIZATION AND ASSESSMENT

- **Accepting tender offers on parcels in the Towns of Moreau (\$21,021.22), Saratoga (\$4,215.44), and the Village of Waterford (\$16,272.43).**
- **Accepting a tender offer on a parcel in the Town of Stillwater (\$4,414)**
- **Authorizing the conveyance of 28 parcels sold at the March Auction to successful bidders.**

- **Authorizing a correction to the 2011 tax roll from \$4,651.44 to \$1,919.47, a difference of \$2,731.97 for a parcel located in the City of Saratoga Springs.**
- **Authorizing a refund of sewer charges in the Town of Milton I the amount of \$2,970 based on an assessor error.**
- **Authorizing a credit to 2011 tax bill in the Town of Providence (\$307.56)**
- **Authorizing a credit to 2010 tax bill in the City of Saratoga Springs (\$2,163.79)**
- **Authorizing a credit for a parcel in the Town of Waterford (\$27,060)**

Mr. Hellwig said the first two resolutions are to accept tender offers on parcels that were pulled from the March Auction. The first resolution deals with parcels in the towns of Moreau, Saratoga and Village of Waterford for a total of \$41,509.00.

The second resolution is a parcel that was purchased by the town, which must be used for municipal purposes.

The third item is the conveyance of the parcels sold at the March auction to the successful bidders. The county realized a profit of \$160,179.00 over the taxes that were owed from the auction proceeds.

The fourth item is a correction to the 2011 tax roll for a building permit that was issued incorrectly in the City of Saratoga Springs increasing the parcels value for tax purposes. The incorrect assessment was for \$4,651.44 and is being reduced to \$1,919.47, representing a difference of \$2,731.97.

The fifth item is a refund for sewer charges in the town of Milton in the amount of \$2,970. The parcel had originally been charged for seventeen sewer units, when it should have only been for six units; \$1,320 in 2009 and \$1,650 in 2010.

The next two resolutions are for tax credits for properties located in Saratoga Springs and the town of Providence. These are separate resolutions because they occurred in separate tax years. The credit in Saratoga Springs is a result of a parcel of vacant land being incorrectly tied to a building permit, and the Providence parcel was also incorrectly valued.

The final item is for a tax credit for a parcel in the Town of Waterford in the amount of \$27,060. The town has already passed a resolution to decrease the amount owed by the property tax owner retroactively so that the amount due coincided with the death of the owner. This was a special assessment that was placed on the parcel for fines and code violations. The town resolution reduced the time period and the amount owed on the parcel.

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

LEGISLATIVE AND RESEARCH

- **Urging the Governor and the New York State Legislature to decommission the Mohawk Valley Heritage Corridor Commission and notify the Commission that Saratoga County will be resigning its seat on this board.**
- **Authorizing the Chairman to sign an Adirondack Partnership Memorandum of Understanding and name a designee to represent Saratoga County.**

Mr. Hellwig said the first resolution is encouraging the Governor to decommission the Mohawk Valley Heritage Corridor Commission. The commission was created by the state legislature in 1995 to encourage historical tourism along the Central Mohawk Valley River Valley, from Saratoga to Oneida County. Early on the commission was relatively active and received State funding for their operations. In the last five or six years the state funding has dried up and there is now a concern that they are incurring some financial liabilities without an ongoing revenue source. In addition to that, the commission originally had twenty-six members and they are down to eight active members. Mr. Hellwig said he has spoken with some individuals from some of the other counties, including Fulton County, that have already adopted this resolution and they have provided a little background into the commission's troubles leading up to this point. The Legislative and Research committee has supported the decommissioning of the group and the county's resignation of our seat on the Board. It is clear at this point that the commission is no longer able to meet its mission, which was to tie the seven counties together.

Mrs. Wormuth asked if there were town appointed committees to the commission as well as a county committee? Mr. Hellwig said the membership was made up of State representatives and County representatives.

Mr. Hellwig said the second item is with regard to an Adirondack Partnership collaborative effort. There are a couple dozen adirondack communities and organizations such as the Adirondack North Country Organization, and the Adirondack Association of Towns and Villages, where they are asking for the County's participation. Up to this point, a lot of the efforts in terms of building an economy up in the north county, have been fragmented; however, there is now some State funding available to conduct a study on how to build a stronger economy in the Adirondack Park.

Mr. Thompson asked if there was any funding? Ms. Raymond said they have applied for \$190,000 through a grant. If they are successful with this grant they may be able to work toward more grants and implementation. The idea is to have a collaborative voice speaking to Albany, and to come up with a comprehensive program to move the economy.

Ms. Daly asked if the designee to represent the county would be done by the Chairman? Mrs. Raymond said most of the other counties have either the Chief Elected or the Chairman designates them.

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

PERSONNEL COMMITTEE

- **Authorizing the Chairman to enter into a renewal agreement for Third Party Employer Liability for Workers' Compensation at a premium cost of \$22,938.**
- **Authorizing County insurance coverage through May 8, 2012 at a total cost not to exceed \$626,880.**

Mr. Hellwig said the first item is authorizing the renewal of excess liability coverage for the Worker's Compensation Program. Under normal circumstances when an injury occurs, under the worker's compensation law, an injured person cannot sue the employer. If there is gross negligence or some grave injury, the injured person can sue the manufacturer of the product that caused the injury. The manufacturer can then turn around and sue the county, so this coverage protects us from incurring the excess of expenses that are associated with defending and paying for these types of claims. The premium amount this year is \$419 less than last years premium.

The County's current property and liability coverage is set to expire May 8, 2011. Cool Insurance is the existing broker, and this is their proposal for a renewal for period 2011 and 2012. the quote for the renewal was for \$626,880, which represents an increase of \$51,359 over last year's renewal. This is the third and final year for Cool Insurance. When the county goes out to bid this every three years, and historically the county has allowed the successful bidder to carry the coverage for up to three years, notwithstanding any problems during the renewal period. The county is currently in the process of obtaining the services of a consultant to prepare the specifications for the renewal next year.

Mr. Lawler asked what the increase in exposure was for the boiler/machinery? Mr. Hellwig said the boiler/machinery coverage is included in the number that is shown for the property.

Mr. Lawler asked how many markets were gone to, or was it just the incumbent? Mr. Gallo said they do make phone calls, but since this is on a three year cycle they stayed with Trident for this coverage for this particular year.

Mrs. Wormuth asked if there is a county policy or is there reason specific why we only shop this once every three years? Are we realizing some form of a financial gain for locking in for three years?

Mr. Gallo said when a large county goes out to bid there is an expense in hiring a consultant. Insurance Underwriters for a county of this size, on a whole, like to do what they can up front for over a three year period of time. They look at pricing for the last three years and the loss ratio. The loss ratio that has been seen in Saratoga County for the last three years is up in the area of property, he said.

Mr. Hellwig said the county has always been under the impression that because of the investment that the companies have to make to bid this out, we would lose some of the potential bidders if we were putting them through that process on an annual basis. That is not to say if the circumstances were such that there were increases or changes that we couldn't make a change.

A motion was made by Ms. Daly, seconded by Mr. Sausville to approve the above resolutions unanimously.

BUILDINGS AND GROUNDS

- **Authorizing the Chairman to enter into an amended agreement with Bishop-Beaudry Construction for additional management services at the Saratoga County Animal Shelter at a cost not to exceed \$22,000.**

Mr. Hellwig said the initial contract with Bishop Beaudry was for approximately \$390,000. There was a \$39,000 contingency that was authorized beyond that, which represented expenses above and beyond the authorized amounts. There were additional services that Bishop Beaudry had to provide as a result of a problem caused by another contractor on the site that requiring additional work. As a result of the additional work this firm had to incur additional responsibilities and costs.

Mr. Butler said the roofing was one issue and the other was because the one contractor did not meet his obligations of July 30, 2010 to be complete with the project. It went on for another 168 days for phase 3 and phase 4, which amounted to approximately \$37,000, putting them over the 10% allowed by the contract, and anything over 10% has to be approved by the full Board of Supervisors. This money will come out of the bond or it will go against what is still owed by J. Luk. The entire project, however, is still under budget.

A motion was made by Ms. Wormuth, seconded by Mr. Veitch to approve the above resolution unanimously.

PUBLIC HEALTH COMMITTEE

- **Recognizing National Nursing Home Week May 8 through May 14, 2011, and acknowledging the services by all Saratoga County Nursing Homes.**

Mr. Hellwig said this resolution is to recognize all the rolls that the nursing homes and their employees play in the care of their residents.

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

PUBLIC SAFETY

- **Authorizing the transfer of \$83,000 of funds from the Animal Shelter Trust Fund and amending the budget in relation thereto.**

Mr. Hellwig said this resolution is a request to transfer \$83,000 out of the trust for the purchase of a van and an adoption trailer. The van is approximately \$20,000 and the adoption trailer is \$38,000. There is also \$25,000 to cover some doctor fees for a relief Veterinarian to conduct in house spay and neutering when the regular staff Veterinarian is not available. The remaining balance in the trust fund will be approximately \$235,699.

Mr. Sausville asked what the function was for the van and adoption trailer? Mr. Hellwig said one was to transport animals from the shelter to the annex and also to transport animals to the adoption clinics. There is a second trailer that was purchased last year, a cart trailer, for the Animal Resource Respite Team and to help in transporting equipment. The adoption trailer is setup with cages and is self contained with its own generator, air conditioner, water supply and holding tank

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

LAW AND FINANCE

- **Authorizing the Chairman to enter into an agreement with Delaware Engineering for engineering work related to the rehabilitation of the Sewer District's sludge incinerator at a cost of \$164,500.**

Mr. Hellwig said this resolution is to authorize a contract with Delaware Engineering for the administration and rehabilitation of the sewer plant sludge incinerator. Funding of the contract and the anticipated costs for the work have been placed in the 2011 budget. There were two bids and Delaware Engineering was the low bidder.

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

- **Authorizing the Chairman to enter into an agreement with Delaware Engineering for the planning and preliminary design of a northern treatment plant at a cost of \$61,600.**

Mr. Hellwig said this resolution is for engineering work. There were seven proposals received with Delaware North as the low bidder of \$61,600. A feasibility study will be conducted to identify a suitable location to divert flows from Saratoga Springs north to the current plant. The work will include planning and preliminary design for the second treatment facility, diverting the flow and reducing the demand on the current plant, working its way around the Tech Park. The high bid was \$216,000.

On a motion made by Mr. Sausville, seconded by Mr. Veitch the above resolution was approved unanimously.

A motion was made by Ms. Daly, seconded by Mr. Grattidge to move into Executive Session for the purpose of Litigation. Unanimous.

A motion was made by Mr. Sausville, seconded by Mr. Veitch to return to regular session. Unanimous.

A motion was made by Mr. Sausville, seconded by Mr. Veitch to authorize the County Attorney to file a Notice of Appeal in an amount not to exceed \$6,000. Unanimous.

On a motion made by Ms. Daly, seconded by Mr. Veitch the meeting was adjourned unanimously.

Respectfully submitted,
Chris Sansom