

Law and Finance Committee Minutes

May 11, 2011 – 4:00 p.m.

Present: Chairman Thompson; Supervisors Daly, Grattidge, Peck, Sausville, Veitch, Wormuth, A. Johnson, Wright, Raymond, M. Johnson, Wood, Rowland, Southworth, Jenkins, Collyer, Hargrave, Lawler, Lucia, and Richardson; Spencer Hellwig, Administrator; Ryan Moore, Mgmt. Analyst; Steven Dorsey, County Attorney; Jason Kemper, Planning; Blue Neils, Cornell Cooperative Extension; Lisa Scaccia, Employment and Training; Tom Speziale, Public Works; Sam Pitcherale, Treasurer; Joanne Bosley, Chris Aldrich, Real Property; Press.

Chairman Thompson 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 April 13, 2011 meeting were approved unanimously.

EQUALIZATION AND ASSESSMENT

- **Accepting a tender offer on a parcel in the Town of Ballston for \$17,674.89.**
- **Authorizing \$5,568 in tax credits for two parcels incorrectly charged for 29 sewer units in the Town of Wilton.**

Mr. Hellwig said the first item is a tender offer made in the Town of Ballston on April 15th for \$17,674.89 for taxes owed in the years 2008, 2009 and 2010. The parcel was originally pulled from the March Auction by Supervisor Southworth.

The second item is for tax bill credits on two properties located in the town of Wilton. The credits are a result of sewer units being charged against vacant land. On one of the parcels there was one unit that was incorrectly assessed, and the second parcel was charged for 28 units. The total credits for the two parcels is in the amount of \$5,568.

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

VETERANS COMMITTEE

- **Introducing a Local Law to establish reasonable restrictions on disruptions of funerals of members or former members of the Armed Forces and scheduling a Public Hearing for June 15, 2011 at 4:45 p.m.**

Mr. Hellwig said the Veterans Committee is recommending that Saratoga County adopt a Local Law that establishes the time, place, and manner restrictions on protests and

demonstrations at funerals of members and former members of the armed services. The restrictions are similar to those contained in a bill that is currently under consideration in the United States Congress, "The Sanctity of Eternal Rest for Veterans Act" for 2011 bans the protest within 500 feet of a military funeral from two hours before the funeral, during the funeral and two hours after the funeral. If the Board of Supervisors adopts this Local Law, it would prohibit demonstrations within 500 feet of the facility hosting a military funeral, such as a church and cemetery and also demonstrations held two hours before, during and two hours after a military funeral. The committee is also recommending fines of \$1,000 or up to one year in jail for violations of this law. These penalties are in line with existing laws restricting funeral protests that are currently on the books in Nassau and Suffolk counties. A Public Hearing will be held on June 15th.

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

PERSONNEL COMMITTEE

- **Appointing Karen A. Levison as the Director of Public Health effective 5/23/11.**
- **Amending the 2011 Compensation Plan to change the title of the "Assistant Director of Patient Services" to "Director of Patient Services".**

Mr. Hellwig said the first resolution is to appoint Karen Levison as the new Public Health Director. Karen is currently employed as the Public Health Director in Essex County, and prior to that she held the same title in Hamilton County. She has been interviewed on two separate occasions by a group that included the Chairman of the Board, Chairman of Law and Finance, Chairman of the Personnel Committee, Supervisor Peck, Mr. Kalinkewicz, Personnel Director and Mr. Hellwig, County Administrator. A recommendation was forwarded to the full Personnel Committee who supports the recommendation to hire Ms. Levison.

Mr. Hellwig said Lori Stiles has been the Acting Director for Public Health. He thanked her for keeping things moving in the right direction and for a job well done.

The second resolution is to change the title of Assistant Director of Patient Services title, to the Director of Patient Services, which is required under Public Health Law for counties that don't have a Public Health Director who is a nurse and operate a home healthcare agency. Ms. Stiles possesses a nursing degree, and in order to continue to provide the certified home health agency services, the requirements are to have a certified nurse in that position.

Mr. Kalinkewicz said the Director of Public Health does not have to be a nurse. They have to meet State qualifications regarding the position along with State approval for the appointment from the county. State approval has already been received and the process of meeting with the Regional Director of the State Health Department to discuss the future of the county health department has taken place. As a result of those meetings and

the cooperation of the State and County Public Health Departments, the county submitted Ms. Levison's application for approval based on the search committee's recommendation. As Ms. Levison is not a nurse, the county must have a nurse that heads up the County Certified Home Health Agency.

Mr. Hellwig said Ms. Levison holds a degree in Biology, Physical Therapy and a Masters in Health Services Administration.

Mr. Peck said when the regional office is talking about the future of the County's Public Health Department, it is only because Saratoga County's population is growing at such a rapid rate that they wanted the county to think about what our future holds as we continue to grow along with the growth of Global Foundries and many other businesses here.

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

PUBLIC HEALTH COMMITTEE

- **Authorizing the Chairman to accept a \$5,000 Grant from the National Association of County and City Health Officials (NACCHO) and amend the budget in relation thereto.**

Mr. Hellwig said Public Health has received, for a second year in a row, from the National Association of County and City Health Officials, \$5,000 to be used for recruitment and training of individuals for the Medical Reserve Corp. The body of this group is made up of medical and non medical volunteers whose knowledge and expertise would be used in the event there was a major disaster in the county. Last years funding level was \$10,000, and this year they have received \$5,000.

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

PUBLIC SAFETY

- **Authorizing the Chairman and the Sheriff to enter into a contract with the Village of Corinth for additional police services.**
- **Authorizing participation in the 2011 State Stop-DWI Program and authorizing contracts with local agency participants.**
- **Authorizing the Chairman to accept a \$341,707 Homeland Security Grant and amending the 2011 budget in relation thereto.**
- **Authorizing the purchase of a storage unit from Versatile Kwik Space a cost of \$4,437 for the storage of materials and equipment and amending the budget in relation thereto.**

Mr. Hellwig said the first item is a request from the Sheriff to authorize the renewal agreement with the Village of Corinth to continue to provide law enforcement services. These are services that are provided at a level above what is typically provided by the regular county patrols. The amount is unchanged from last year at \$298,800, which will be paid by the Village of Corinth. This agreement is consistent with other towns in the county. At this point, the Sheriff has indicated that there has been no change in the amounts because of the fact that the road patrol contract is still under negotiations, and until that is settled there is no basis for modifying what additional costs are going to be for the department

The second item is approval by the State to authorize the county's participation in the STOP DWI Program which uses STOP DWI monies to fund activities that include law enforcement, substance abuse treatment, education and other preventative measures. The 2011 program total is in the amount of \$391,564.

The third item is a Homeland Security Grant in the amount of \$341,707, which will be used for purchasing an assortment of emergency equipment for emergency responders, public health nurses and GIS equipment and data items that will be used for mapping purposes, with 100% state aid.

The fourth item is for the purchase of a storage container for equipment currently being stored inside a Saratoga Springs Fire Station on the West Side of Saratoga. The City of Saratoga Springs needs to construct a Bloodborne Pathogen Station that is currently occupied by this equipment, and has requested through Supervisor Veitch, help in finding another location to store the items. This resolution is to authorize the purchase of a 40ft. shipping container that is wind and water tight and can be used to store equipment. The transfer of funds will come from the contingency budget, he said.

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

SOCIAL PROGRAMS

- **Approving the Workforce Investment Board budget for program year 2011 for \$91,162 and authorizing agreements with Warren and Washington Counties to fund WIB services.**
- **Authorizing the Chairman to enter into an agreement with J.J. Young, LLC to provide administrative services for the Workforce Investment Board.**

Mr. Hellwig said the first item is to approve the Workforce Investment Board budget, which has already received the approval of the 38-member board that is made up of representatives from Warren, Washington and Saratoga Counties. The budget must be approved to support the office of the Workforce Investment Board Director which is a

required position under the funding stream. As indicated in the resolution, the budget amount is \$91,162. This is a decline over last year, of approximately \$6,000

The second item is authorizing an agreement with JJ Young to approve a contract for them to provide some core services, in addition to some intensive job training services to the clients and also some administrative services to the Workforce Investment Board. Under the Workforce Investment Act counties are prohibited from providing these services directly. The funding stream requires us to go out and contract for those, that is why this outside group is being hired. This contract amount has also received the endorsement of the Board of Supervisors.

Ms. Scaccia said Employment and Training has a website that covers the three county area where they can highlight the different tax credits that are available to employers, and also offers a program for job seekers.

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

ECONOMIC DEVELOPMENT

- **Authorizing the Chairman to accept a NYS Stormwater Management Grant in the amount of \$400,000 and amending the budget in relation thereto.**

Mr. Hellwig said this resolution is to accept a \$400,000 water quality improvement grant for the counties in the Municipal Stormwater Management Program. The MS4 program is one of three state pollutant discharge elimination system programs that requires a general permit that is required for all activities that are associated with Stormwater discharge. This is required, not only by the Environmental Protection Agency at the Federal level, but the New York State Department of Environmental Conservation. There is an assortment of expenses that the money is going to be used to fund that include a review of the local laws and codes to make sure that what we are doing locally is compatible with state permits. In addition, there is also going to be an expense to storm sewer mapping for the communities that are covered under these regulations, and will require a budget amendment.

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

LAW AND FINANCE

- **Amending the Policy and Procedures Manual to add a revised Computer and Internet Technology Use policy.**

Mr. Hellwig said over the past several months the Technology Committee has met to review an assortment of computer and internet related issues facing the county. As a first step toward the greater management of these resources, the committee has developed a

policy to help guide employees and management on how these resources and tools should be used. The policy will be added to the County's Policy and Procedures Manual once it is approved by the full Board.

Mr. Veitch said there were a lot of gaps as far as what was acceptable use of a county computer, as well as, adding who is able to have a computer, what approvals are needed in order to do certain things with it, internet connections, cell phone usage, remote access to county computer assets, and where you can and can't go on the internet. Examples from other counties were used when forming the new policy, he said.

Mr. Peck asked if the policy was eliminating access to non-job related areas? Mr. Veitch said, yes. He said a monitoring program was conducted that lasted for a couple of hours on one day in certain departments to see what sites people were going to. There were no names associated with the information, he said.

Mr. Thompson asked who currently has access to the internet? Mr. Veitch said various employees have internet connection, but there is no policy that governs what they can and cannot do while they are on line.

Mr. Hellwig said it is all levels of employees depending on if the department has justified the need and purpose. The committee's focus was, that as time goes on and it becomes such a greater part of how we do business, it will require a more formal document and outline on what is acceptable and what is not.

Mr. Veitch said email access was discussed in depth at the Technology Committee meeting and one of the policy statements is that all county employees are going to have email access regardless of what department they work in. There are efficiencies down the line that the committee is going to work on that are going to require that.

Mr. Veitch said this is a new policy than can be revisited if there are things that don't work out.

On a motion made by Mr. Veitch, seconded by Mr. Sausville 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 \$15,000 to \$25,000 due to increased testing for the Saratoga County Sewer District.**

Mr. Hellwig said the final resolution is from the Sewer District where they are asking for an amendment to an existing agreement with Phoenix Environmental Laboratories to increase the contract authorization from \$15,000 to \$25,000 for wastewater analysis at the plant. This is actually the third time that the Board has had to deal with the contract. Initially, there was a minor contract for laboratory services that was up to \$10,000, and was increased to \$15,000 by the Board to cover additional expenses that were associated with troubleshooting a chemical that found its way into the wastewater stream. The

source had to be tracked down and stopped. In addition to that, there was a consent order from the NYS Department of Conservation that had to do with some unexpected stormwater sampling. At this point, the request to increase it to \$25,000 is now being made based on expenses they may incur between now and awarding the contract to a new vendor. They do have bids and are going to be awarding those bids at the end of this month at the Sewer Commission meeting, but they need to have authorization to cover any expenses that may come up between now and then. The discussion at the commission was originally \$5,000, but they wanted to make sure that if something came in unexpected, that they wouldn't be paralyzed by not having the ability to have the additional work done.

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

Mr. Lawler thanked Emergency Services for providing a much more detailed list on how the money will be utilized from the Homeland Security Grant.

Mr. Lawler asked, of the public service portion of the grant, the \$37,000 for nursing, how would that money be spent? It appears as though that is being spent for salaries and staff that were already budgeted. Mr. Lawler noted that the resolution stated that the 2011 budget would be amended, and asked for clarification on that.

Mr. Hellwig said that amount would not be included as an increase on the expense side. Since the money has already been budgeted for the expenses, we are simply getting reimbursed. The expense entry will be minus the personnel costs.

Mr. Hellwig said when we have the \$341,707, of that total the piece of the funding that is going to be used to cover the public health nursing services, won't have to be put in the budget. We have already got that expense budget. Mr. Lawler asked where it is going?

Mr. Tremblay said, in this case the bulk of the money was going to be put into his budget to be spent, and a quarterly report would be submitted for reimbursement.

Mr. Peck said there is \$37,000 that is attributed to salaries in the grant. Mr. Lawler is asking if we are going to do a budget amendment and take that \$37,000 out of the income side that we budgeted because it is coming into the grant or are we going to let it sit there and ride until the end of the year? Mr. Lawler said, you can't let it sit there and ride. When it shows up you have to put it somewhere.

Mr. Tremblay said it isn't going to show up. This isn't money that they give us, it is money that we have to spend and then we get it reimbursed.

Mr. Hellwig said those salaries are covered by the fund balance, the shortfall is going to be covered through what we budgeted from the fund balance to cover the shortfall between the revenues that we collect departmentally. In this case, since we are now getting this money through this grant to cover those personnel costs, theoretically that

portion of the fund balance that would be used to cover the shortfall in this department or any department is no longer going to be needed. Mr. Lawler said, salaries are not coming out of the fund balance, they are coming out of appropriations. There is an appropriations budget to pay for the salaries, so there won't be a shortfall. You have this money coming in twice, once from the taxpayers and once from the grant. Mr. Lawler asked where the \$37,000 is going? Are you going to increase contingency line items and when it doesn't show up, then transfer it back to the fund balance as unappropriated at that point? Mr. Hellwig said he would itemize everything that is going to be done before the Board meets, so the Board is clear on what is being done.

Mr. Lawler said it is \$37,000 on a \$200 million budget, which is a considerable sum of money, but he didn't think it was a reason not to move forward with what is a great grant and the things that it is going to do for us.

Mr. Peck said the budget that is passed at the beginning of the year has fund balance in it to balance the expense and revenue side of our budget. At the end of the year when we go to settle this all up, the best case scenario is that tax revenues are higher than we budgeted. If we get an extra \$37,000 in revenue coming out of that grant, we can either amend the budget, and say we are going to amend it on the revenue side of what we budgeted and we don't need the \$37,000 from the budget or we let it ride to the end of the year, and decrease that portion that we had to put in the budget.

On a motion made by Mr. Peck, seconded by Mr. Veitch the meeting was adjourned.

Respectfully submitted,
Chris Sansom