

Law and Finance Committee Minutes
July 13, 2011 – 4:00 p.m.

Present: Chairman Thompson; Supervisors Daly, Grattidge, Peck, Sausville, Veitch, Wormuth, Wright, Kinowski, Rowland, Hargrave, Jenkins, Collyer, Raymond, Wood, Lucia, and Richardson; Spencer Hellwig, Administrator; Chris Aldrich, Joanne Bosley, Real Property; Dan Butler, Animal Shelter; Sandi Cross, Office for the Aging; Karin Levison, Public Health; John Adams Probation; Jim DiPasquale, Sewer District; Sam Pitcherale, George Martin, D'Arcy Plummer, Treasurer; Brian O'Connor, Auditor; Jack Kalinkewicz Personnel; Steve Dorsey, County Attorney; Joseph Ritchey, Public Works; John Ciulla, Public Defender; Paul Lent, Emergency Services; Wes Carr, Youth Bureau; Pam Almy, Elinor Kondenar, Hal Parker, Maplewood Manor; Denny Finneran, League of Women Voters; Andrew Davis, Veterans; Press.

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

On a motion made by Mr. Peck, seconded by Mr. Veitch the minutes of the June 15, 2011 and July 5, 2011 meetings were approved. Supervisor. Grattidge and Supervisor Wormuth abstained from the vote as they were both excused from the meetings.

PERSONNEL COMMITTEE

- **Amending the 2011 Compensation Plan to add one additional Veterans Agency Driver (PT) effective July 22, 2011**

Mr. Hellwig said the Personnel Committee is recommending the creation of one additional part-time driver for the Veterans' Agency. Currently, the agency employees three part-time drivers who are averaging approximately 5,000 miles a year, transporting Veterans' to appointments. The current drivers are all over the age of 65 and the creation of an additional position is an attempt to limit the workload on each individual. There will be no additional cost for the additional driver.

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

ECONOMIC DEVELOPMENT

- **Authorizing the Chairman to enter into a two-year logging agreement with G&T Enterprises for the harvesting of a forestry lot in the Town of Moreau. The County will receive approximately \$40,000 for the timber over the life of this contract.**

Mr. Hellwig said this is a resolution to enter into a revenue contract with G&T Enterprises for the harvesting of timber on county owned forestlands in the Town of

Moreau. Bid packages were sent out to 21 vendors with G&T Enterprises giving the only proposal. The estimated stumpage revenue for this parcel is approximately \$40,000.

- **Authorizing the Chairman to enter into an agreement with Forest Solutions to provide forestry analysis and update the County's forest management plan at an hourly charge of \$50/hr. at a total cost not to exceed \$12,000, and amending the 2011 budget in relation thereto.**

Mr. Hellwig said this resolution is for authorization to enter into an agreement with Forest Solutions to update the county's timber management plan. The vendor is the county's current consultant responsible for managing timber harvests and they have submitted a proposal to update the plan, which is approximately 20 years old. They are willing to do that at a cost of \$12,000. There was no funding placed in this years budget to cover this expense; however, the Planning Director is proposing that a portion of timber harvest revenue that is collected this year be used to offset the cost of this updated plan.

Mr. Thompson asked Mr. Kemper when the \$40,000 would be received? Mr. Kemper said the county would receive \$10,000 down, and as they cut the timber, revenue will be received. Mr. Thompson asked if the county would have \$40,000 before the end of the year? Mr. Kemper said, yes.

Mr. Sausville said it is not like these contracts are completely without forest management. A forester does go in when a parcel is decided on and manages the cutting of that particular parcel. He said, this is a nice thing to do, but since we are in the situation that we are in budget wise, we do have something that could be postponed. It is only \$12,000 and is something that should be done at some point in time, but there is an opportunity to possibly work with cooperative extension to gain some skills on prioritizing the wood lots, so the skills could be in house.

Ms. Daly said she was hesitant as well to spend the \$12,000; however, the expenditure would be recognized with revenue immediately, and the purpose of having the plan in place now will allow for better budgeting as we move forward.

On a motion made by Ms. Daly, seconded by Mr. Veitch the above resolutions were approved. Mr. Thompson abstained and Mr. Sausville voted no.

EQUALIZATION AND ASSESSMENT

- **Accepting a tender offer in the Village of Ballston Spa for \$8,413.06.**
- **Authorizing a tax refund of \$5,562.66 on a parcel in the Town of Halfmoon.**
- **Authorizing a credit to the 2011 tax bill in the Town of Clifton Park (\$704.34)**

- **Authorizing a waiver of interest on a delinquent sewer payment by the City of Mechanicville and directing a refund of \$9,358.64.**

Mr. Hellwig said the first item is to approve a tender offer in the amount of \$8,413.06 in the Village of Ballston Spa for taxes due in 2007 and 2008. The property owner was deceased at the time the payment was made last September by his daughter. Due to delays in getting the necessary information to the County Attorney and the County Treasurer the offer had exceeded the 30-day limit to act on the offer. From the time that these offers are made the policy requires that the Board act upon them within 30 days, and because of those delays the 30 day limit was exceeded, so the committee has recommended that the 30 day limit be waived to accept this tender offer.

The second item is a tax refund for a parcel owned by the Shenendehowa Central School District, which is exempt from all school taxes including those of special districts. The \$5,562.66 refund is for library taxes that were incorrectly charged for the years 2009, 2010 and 2011.

The third item is a tax credit due to an assessor error. The assessor used an incorrect amount of acreage for the property as well as identifying the property as having a full basement when, in fact, it was on a cement slab. The reduction of assessed value resulted in a reduction of the taxes that were due on the property.

The fourth item is a resolution authorizing the reduction in accrued interest for a late sewer district payment for the City of Mechanicville. The amount of interest that the committee is recommending be refunded for this late payment is \$9,358.64.

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

SOCIAL PROGRAMS

- **Authorizing the Chairman to enter into an agreement with Saratoga Honda to lease a van for senior transportation for \$421 per month from July 21, 2011 until July 21, 2014 at a maximum of 15,000 miles per year.**
- **Authorizing the Chairman to enter into an agreement with Saratoga County Transportation Company Ltd. to provide transportation services for pre-kindergarten handicapped children at a cost not to exceed \$42/child per day and \$50/aide per day when required.**
- **Authorizing the Chairman to enter into agreements with the Town of Corinth to provide \$15,000 in funding for a senior transportation van.**

Mr. Hellwig said the Office for the Aging is requesting to enter into a new lease agreement with Saratoga Honda for the lease of a van to transport seniors to medical appointments. The program is funded under the retired senior volunteer program, where

volunteers operate the vehicle and the lease costs are covered under the State RSVP Program. There were three lease proposals, with Saratoga Honda as the low proposal

The second item is from the Youth Bureau where they are asking to renew their contract with the Saratoga Transportation Company Ltd., to provide school transportation services to children with handicapped conditions and their aides. Based on the current number of children and aides, the new contract rates are \$42/child and \$50/aide. The annual cost is estimated to be approximately \$14,312/day, which is slightly less than the expired agreement.

The third item is for authorization to provide \$15,000 in funding to the Town of Corinth for the purchase of a senior transportation van. This contribution from the county was included in the 2011 budget and is funded entirely with State aid.

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

PUBLIC SAFETY

- **Accepting a \$6,294 Supervision and Treatment Services for Juveniles Program (STSJP) grant and authorizing contracts to administer services and amend the budget in relation thereto.**
- **Accepting a \$15,500 Aid to Defense grant for the Public Defender's Office.**
- **Appointing Susan Hayes-Masa as the Deputy Coroner at a rate of \$100 per year**

Mr. Hellwig said the first item is a request from the Probation Department asking for authorization to accept \$66,294 in State Aid and to amend the 2011 budget to fund the supervision and treatment services for juveniles program, which will provide an alternative to secured detention. The funding will be passed through the County Probation Department to Berkshire Farms for intensive family based case management services and to KMG Monitoring who will provide electronic monitoring of juveniles who are selected to participate in this alternative to detention.

The second item is an annual Aid to Defense Grant for the Public Defenders Office. This is State funding that the Public Defender receives annually to offset a portion of the costs associated with defending serious and violent felony cases throughout the courts. The funding total for the new State budget year is \$15,500, which represents an 8.2% reduction from 2010.

The third item is in 2009 Dr. Russell Peacock was appointed as a Deputy Coroner to act as a backup when the regular Coroners were unavailable. Mr. Peacock is no longer interested in filling this role, so the Coroner's are requesting that Susan Hayes-Masa be

appointed to fill that role at the same rate paid to Dr. Peacock which was \$100/case plus mileage.

The fourth item is for authorization to enter into a tower site agreement with Singular One to place a panel antenna on the Lake Luzerne radio tower site. The agreement will provide the county with a one time payment of \$25,000, and the Town of Lake Luzerne will receive a monthly payment of \$1,800 from Singular One or AT&T. In return the Town of Lake Luzerne will not charge the county a monthly tower rental fee for being allowed to keep all the revenue from the first carrier.

On a motion made by Mrs. Wormuth, seconded by Mr. Sausville the above resolutions were approved. Mr. Veitch abstained from voting on the fourth item due to a conflict of interest with his employment.

PUBLIC WORKS

- **Authorizing the Chairman to enter into an agreement with Barton & Loguidice to prepare the County's Local Solid Waste Management Plan at a cost not to exceed \$29,850.**
- **Amending the budget to appropriate expenses and revenues relative to an insurance recovery in the amount of \$195,495 for damages to the Public Works storage barn on February 5, 2011.**
- **Authorizing the Chairman to enter into a supplemental agreement with NYSDOT to accept funding for Right of Way incidentals involved in the design of Northline Road over the Kayderosseras Creek Bridge at a cost not to exceed \$4,905.**

Mr. Hellwig said the first item is authorizing an agreement with Barton & Loguidice to prepare the county's Local Solid Waste Management Plan. The plan is required by the NYS Department of Environmental Conservation and provides the county's plans for the handling and disposing of solid waste. The subcommittee of Public Works selected to interview two of the companies that made a proposal. They have recommended that Barton & Loguidice, the low bidder, be given the contract.

The second item is to amend the budget to recognize insurance revenue for the collapsed barn at the county landfill and increase the expenses by the same amount to cover the cost of constructing a replacement structure. The total amount of the claim, minus the \$5,000 deductible is \$195,495. The county has already received \$161,859 of the total and will receive the balance of \$33,636 when construction is completed on the replacement structure. The terms and conditions of the replacement cost evaluation require that the construction be completed before the second payment of \$33,636 is made.

The third item is authorization to enter into a supplemental agreement with NYSDOT in the amount of \$4,905 to accept additional Federal and State Aid to cover the cost of

survey work and appraisals related to the right of way costs of Northline Road over the Kayderosseras Creek Bridge.

Mr. Grattidge clarified that the first and second resolutions would have no budget impact to the county.

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

LAW AND FINANCE

- **Directing the Saratoga County Sewer District to prepare maps and plans of the proposed extension of the district's boundaries and to conduct SEQR review and directing the Sewer Commission to submit a report regarding proposed user rate by 12/1/11.**

Mr. Hellwig said last August the Sewer Commission formed a subcommittee to initiate the process of surveying the towns not currently, entirely, or partially within the sewer district boundaries. The survey was to determine their interest in making the boundaries countywide. Supervisors whose towns would be impacted were contacted and based on their responses the following towns expressed an interest in being included: Charlton, Corinth, Day, Edinburg, Galway, Moreau, Saratoga and Stillwater. At this point, in order to move forward with the preparation of the maps and plans and the revised boundaries, a resolution of the Board is required to initiate the process.

Ms. Raymond requested that the resolution clearly states that the towns that agreed to be part of a countywide district have the understanding that there would never be an ad valorem tax, and that it would be strictly user fees.

Mr. Dorsey said in parts of this resolution the commission has to issue a report to the Board. As part of that report it is going to make recommendations as to where the boundaries should be extended to based on the responses that they receive. Other parts include that they are going to make recommendations as to how it is going to affect the user rates currently outside the district, and is it going to have any impact on the rates inside the district.

Mr. Sausville asked if towns outside the district express an interest now, would they have an opportunity to opt out?

Mr. Dorsey said if the commission makes its recommendation possibly by December 1st, the Board can accept portions of the report if they want and reject others.

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

- **Introducing a Local Law to increase the population threshold to 25,000 for an additional county supervisor and setting a public hearing for August 10, 2011 at 4:45p.m.**

Mr. Hellwig said the census committee has met and has recommended that the weighted voting population threshold for a second Supervisor be increased from 20,000 to 25,000. The committee obtained a review and statistical analysis to evaluate the effect this change will have on individual Supervisors' power to affect the passage of legislation. Based on those findings and report, they are supporting an increase to the threshold.

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

- **Authorizing blanket official undertaking for County officers required by law to execute and file official undertaking.**

Mr. Hellwig said under the county officer's law the county is required to approve a blanket undertaking that provides insurance coverage for money and property handled by the Chairman of the Board, County Clerk, District Attorney, County Treasurer and the Sheriff. This policy was part of the 2011 renewal that was approved by the Board in April, which renewed all the counties property and casualty insurance. A copy of this resolution and the insurance policy with coverage will be placed on file in the County Clerk's office in accordance with this law.

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

- **Enacting a temporary hiring freeze effective July 20, 2011 through December 31, 2011.**

Mr. Hellwig said at the Special Law and Finance meeting that was held a number of items were identified as options for addressing some of the budget shortfalls, overages and expense account shortfalls and revenues that were identified in the report that was given to the Board in June.

The first of those recommendations is the enactment of a hiring freeze that will allow the county to reduce the payroll and benefit costs through the remainder of 2011, with the actual savings conditioned on the amount of turnover we have for the remainder of this year.

The Personnel committee wanted to make it clear that certain exceptions should apply to positions that are covered under this hiring freeze, and essentially those exceptions will be that all Deputy and Sheriff correctional officer positions in the Sheriff's department, all nursing positions in the Public Health Department and all nursing positions in Maplewood Manor. In addition, any exceptions to that or filling of non exempted positions under this hiring freeze will be brought through the vacancy review committee

to make decisions on a case by case basis on whether or not a position that is not exempt should be filled.

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

- **Reducing the funding available for the purchase of Land Development Rights by \$260,000 to cover budget shortfalls in other general fund accounts.**

Mr. Hellwig said the current uncommitted balance in the Planning Department's budget for the purchase of land development rights is \$260,000. At this point there has been no formal approval to spend these funds, but the application deadline to be considered to receive a portion of this funding is set for July 29th. In the interest of minimizing any inconvenience that this action would cause, Mr. Hellwig is recommending that if this option is supported that it be done this month to avoid any unnecessary work by the grant applicants.

Mr. Thompson said the application process is extensive. He expressed reservations about pulling the money when people have been spending a lot of time putting together their applications with a deadline of July 29th.

Mr. Peck said there is a great deal of expectation leading up to this. When this came before the committee a week ago, his thoughts were, well we either need to act now or leave it in for this budget cycle because we are too close to the deadline.

The committee decided that since there was no motion to move on the resolution that it would be removed.

Mr. Hellwig said the remaining resolutions are all capital funds authorizing the closing of water projects, solid waste projects and the Public Safety Building capital funds. The combined balance in these funds is approximately \$2.4 million. At this point there is no activity planned that would require funding from these sources. If the closing out of them is approved by the committee and ultimately the Board that money will be returned to the unappropriated fund balance.

- **Directing the Treasurer's Office to close out the Water Project Capital Fund (HB-50) and return all unspent funds to the general fund.**

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

- **Directing the Treasurer's Office to close out the Solid Waste Capital Fund (HC-50) and return all unspent funds to the general fund.**

Mr. Grattidge said this money was actually in a reserve fund in the event that the landfill was started up. There are startup costs involved in starting up a landfill with machinery,

etc. He said that we could move this into the general fund, but said that down the road if the county decides to open the landfill the money would be moved back into landfill fund.

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

- **Directing the Treasurer's Office to close out the Public Safety Building Capital Fund (HJ-50) and return all unspent funds to the general fund.**

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

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

Respectfully submitted,
Chris Sansom