

Law and Finance Committee Minutes
October 12, 2011 – 4:00 p.m.

Present: Chairman Thompson; Supervisors Daly, Grattidge, Peck, Sausville, Veitch, Wormuth, M. Johnson, Jenkins, Wright, Lucia, Richardson, Kinowski, Collyer, Rowland, Raymond and Wood; Spencer Hellwig, Administrator; Ryan Moore, Mgmt. Analyst; Bill Fruci, Roger Schiera, Elections; Chris Aldrich, Joanne Bosley, Real Property; Sam Pitcherelle, George Martin, Treasurer; Kate Jeanson, Diana Garland, Kathy Marchione, County Clerk; Brian O’Conor, County Auditor; Bill Davis, Chad Cooke, Richard Doyle, Jim DiPasquale, Sewer District; Daniel Butler, Animal Shelter, Jason Kemper, Planning; Joseph Ritchey, Public Works; Steve Dorsey, County Attorney; Denny Finneran, League of Women Voters; Press.

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

On a motion made by Mrs. Wormuth, seconded by Mr. Sausville the minutes of the September 14, 2011 meeting were approved unanimously.

EQUALIZATION AND ASSESSMENT

- **Accepting an offer from the Town of Providence to purchase parcel #134.20-7-14.1 for \$996.51 which represents all outstanding taxes, penalties and interest.**
- **Authorizing the conveyance of 8 parcels sold at the September auction to the successful bidders.**

Mr. Hellwig said the first item is a tender offer that has been submitted by the Providence Supervisor, as the town is interested in taking title to a private road on Lake Nancy. The town has paid the taxes and penalties due for 2008, 2009, 2010 and 2011.

The second item is to authorize the conveyance of the parcels sold at the September auction. These parcels will be conveyed to the successful bidders. The county has realized a net profit of just under \$40,000 over the taxes that were owed from the auction proceeds.

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

LEGISLATIVE AND RESEARCH

- **Urging New York State Legislators to co-sponsor and the New York State Legislature to pass, legislation (S.5889-B/A.8644) designed to provide mandate relief for counties in the form of an eight-year State takeover of County Medicaid costs.**

Mr. Hellwig said this item is a resolution in support of proposed State legislation to implement a gradual State takeover of Medicaid costs beginning in 2012, with the growth capped at 0% for the first three quarters and a 5% decrease in the fourth quarter and additional reductions each year until 2019, at which time the county share will be zero. The sponsors of this legislation, which include Senator McDonald, are pointing to the cost saving reforms to be implemented by the Governor's Medicaid redesign team as a new source of funding for this initiative.

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

BUILDINGS AND GROUNDS

- **Authorizing the Chairman to enter into an agreement with McFarland Johnson for design services associated with the airport lighting systems and rehabilitation of the airport based aircraft apron at a cost not to exceed \$203,993.**

Mr. Hellwig said last month an FAA grant was accepted to cover 95% of the design services that are listed in this resolution, which will authorize a \$203,993 contract with McFarland Johnson. These contracts will cover preliminary and final design work, environmental permitting and bidding award assistance for these projects. The county share of the total is \$5,100 or 2 ½%.

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

PERSONNEL AND INSURANCE

- **Amending the Policy and Procedures Manual to reflect changes made by the Personnel and Insurance Committee to the Employee Identification Card Program.**

Mr. Hellwig said this resolution contains updates that are needed for the identification card policy, which was recently approved by the Personnel and Insurance Committee. The biggest change is the issuance of official ID Cards to all county employees, which contain a photograph, employees name, county department, job title, ID number, date of hire, and where to send the ID if it is lost. A request has been made to amend the Policy and Procedures Manual to reflect the changes that were approved by the committee.

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

ECONOMIC DEVELOPMENT

- **Designating the Saratoga County Chamber of Commerce as the County TPA(Tourism Promotion Agency) and authorizing them to apply for “I Love New York” grants for 2011-2012.**
- **Authorizing the Planning Department to proceed on right-of-way acquisition for the extension of the Zim Smith trail from Coons Crossing to Mechanicville at a cost not to exceed \$180,000, including any necessary costs related to the completion of survey work, acquisition maps and easement acquisition.**

Mr. Hellwig said the first resolution is for authorization for the Chamber of Commerce, to apply for additional tourism funding from the State. They must receive the Board of Supervisors designation as our Tourism Promotion Agency. There is a required match component under the grant, which is covered under funding that the Chamber receives from the county on an annual basis. They are asking for that designation, so they can apply for State aid.

The second item is a resolution to allow the Planning Department to spend up to \$180,000 for the right of way acquisition, which is a necessary first step if the Zim Smith Trail is to be extended from Coons Crossing to the City of Mechanicville. Currently, New York State Electric and Gas is considering constructing a transmission line to service the capital district intermodal and automotive facility along the same route as the proposed trail extension. They have indicated that they would be open to providing a portion of the clearing, earth work and grubbing for the trail if the county would pay for the right of way acquisition along this path and transmission line.

Ms. Daly said as we move forward at the Capital Region Economic Development Council there are going to be applications that will be brought forward for sponsorship from Saratoga County. She said there is one application that she would be recommending that the county sponsor their support, and there are going to be, at a minimum, two other applications that the county should sponsor. Ms. Daly requested some direction in moving forward.

Mr. Hellwig said once the grant has been approved or awarded then the Board makes a decision on whether or not there is going to be a budget amendment. This is a starting point in terms of determining whether or not it is something we can do administratively or the Board will have to be involved with. Mr. Hellwig said he would like to have some time to review the agreements and applications and then if the Board’s support is needed it can be requested.

Mr. Grattidge said the threshold is if the grant application involves a county share of funding then it has to come to Law and Finance at the very least to see whether this would be something the Board is interested in moving forward with. If we are not, then we shouldn’t put them through the work of applying. Mr. Grattidge suggested bringing it through committee and then to the Law and Finance Committee. Ms. Daly said all the applications are due by October 31, 2011.

Ms. Daly said as Chairman of Economic Development, she would like to know that the Board of Supervisors supports the application.

Mrs. Wormuth said it should come before the Law and Finance Committee because if we apply for grants and then we decide to not move forward with them because the money isn't budgeted or we don't have the resources to do it and it is a grant that we are applying for, this could jeopardize grants in the future.

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

PUBLIC SAFETY

- **AUTHORIZING THE County Administrator or Management Analyst to enter into hold harmless and indemnity agreements with entities hosting adoption clinics for the Saratoga County Animal Shelter subject to the approval of the County Attorney.**
- **Authorizing the Chairman to enter into an agreement with W.O. Strong Welding & Repair Service for repairs to the County's Fire Training Buildings at a cost of \$17,520.**

Mr. Hellwig said the first item is authorization for the County Administrator to sign hold harmless agreements for entities that allow the county to use their property for Animal adoption clinics. This is in response to a number of growing requests to have this contract in place as opposed to the traditional coverage, which has been for the county to have the entity added as an additional insured on our insurance policy. This resolution will authorize Mr. Hellwig, and in his absence, the Management Analyst, to sign the agreements subject to the approval of the County Attorney.

The second item is to approve a contract with the low bidder for repair work needed on the Fire Training Buildings. There are two buildings used by the fire departments for training. Over time, various building components, including some of the metal stairs and structural components now need to be either repaired or replaced in order to allow continued use of these buildings. There were four vendors that were contacted, and out of those four there were two proposals submitted with the low quote of \$17,520.

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

PUBLIC WORKS

- **Amending the 2011 Budget to increase expenses and revenue in highway Fund #3 by \$210,000 to highway Fund #1, to cover increased fuel costs.**

- **Reauthorizing the acceptance of an 800 foot extension of County Road 46 in the Saratoga Springs Industrial Park for the purpose of obtaining NYS Department of Transportation CHIPS funding.**

Mr. Hellwig said due to the fuel costs exceeding the amount that had been budgeted for 2011, funds will need to be transferred from Fund 2 into Fund 1 to cover the anticipated shortfall in fuel costs for the year. At the time the budget was submitted, the fuel costs were \$2.34 a gallon for diesel fuel. In 2011 we paid as much as \$3.53 per gallon. Currently we are paying over \$3.00 a gallon. The Public Works Department has taken a five year average and has come up with an estimate on how much fuel they are going to need to finish out the remainder of the year and what that translates into is an additional \$210,000.

The second item is to reauthorize the acceptance of the 800 ft. extension of County Road 46. Last year the Board of Supervisors approved a resolution to accept this extension in the Saratoga Springs Industrial Park. It was done with the intent to foster commercial development to an area of the park that was previously undeveloped. At this time the Public Works Department has identified \$1,000 in CHIPS funding that the county is eligible to receive as a result of this additional road. However, the State is requiring that the original resolution to authorize the acceptance be reauthorized so that it shows an approval post construction. The county currently has title and ownership of this road, he said.

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

LAW AND FINANCE

- **Revising the weighted vote for the Board of Supervisors in accordance with the 2010 Federal census.**

Mr. Hellwig said the first resolution is to revise the weighted vote for each Supervisor in accordance with the 2010 Federal Census. This revision was approved by the Census Committee on July 7, 2011, and is subject to the adoption of a local law which would increase the population and threshold for a single supervisor. That local law is now in place, so this resolution is to adjust the weighted vote for each Board member. In total, the population of the Board's weighted vote has increased by approximately 9.5%, which translates into just under 19,000 residents.

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

- **Ratifying an emergency condition at the SCSD main treatment facility requiring repair of the incinerator at a cost not to exceed \$65,000 and authorizing agreements with Troy Boiler and Delaware Engineering to complete the necessary repairs.**

Mr. Hellwig said the Sewer Commission is asking for the Board's authorization to pay \$65,000 to Delaware Engineering and Troy Boiler for emergency repairs that occurred when the heat exchanger on the plants incinerator failed. Up to this point the district has had to pay approximately \$21,000 a week to cover the cost of the sludge removal. Either today or tomorrow the incinerator will be back on line and we will no longer have to pay those additional costs.

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

- **Authorizing a \$112,000 change order for additional design, contract administration and inspection work by Delaware Engineering required for the rehabilitation of the Sewer District's sludge incinerator.**

Mr. Hellwig said as a result of the failure of the incinerator at the Sewer Commission Delaware Engineering, which currently holds a \$178,875 contract for the upgrading of the incinerator which was planned to take place this year, is now asking for an additional \$112,000 as a result of the failure and inspection revealed that the deterioration of the incinerator shell. The additional repairs are going to require more design work than was originally requested in the original RFP; therefore, the commission is asking for the Board's approval to approve this change order to cover the additional work by Delaware Engineering

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

- **Authorizing the Chairman to enter into an agreement with the NYS Board of Elections to accept a \$9,888 grant to improve voting access for individuals with disabilities.**

Mr. Hellwig said the NYS Board of Elections is going to be receiving a grant that will be providing reimbursement of costs they incur for physical changes at polling places which are designed to improve access for voters with disabilities including a path for travel, entrances, exits, privacy and training.

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

- **Authorizing inter-agency transfers necessary to close out the 2011 County budget.**

Mr. Hellwig said the authorizing of interagency transfers to close out the 2011 county budget allows the Administrator to move funds from departments where there is a surplus to cover deficits in other departments. The procedure has been that the Administrator

will make these transfers until the budget is closed out and that time a list will be provided to the Law and Finance Committee for their review.

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

- **Authorizing renewal of agreement with Info Quick Systems (IQS) for leasing of a computer system, maintenance and verification services at a cost not to exceed \$16,095 per month and \$0.17 per page for the digitization and indexing of additional documents.**

Mr. Hellwig said this resolution has to do with the renewal of the Info Quick contract which will cover a variety of computer hardware, software and digitization services that the vendors provided the County Clerks office for the past five years. The costs of providing these services under a renewed agreement will not change from the amounts that were authorized under the agreement of the expiring contracts, which are \$16,095 per month for the software, hardware, technical work and maintenance for the network, and \$.17 per page for the digitizing of the documents from 1987 back.

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

A motion was made by Mr. Peck, seconded by Mrs. Wormuth to move into Executive Session for the purpose of Personnel. Unanimous.

A motion was made by Ms. Daly, seconded by Mr. Grattidge to return to Regular Session. Unanimous.

A motion was made by Mr. Peck, seconded by Mrs. Wormuth to appoint Chad Cooke to the position of Temporary Executive Director of the Sewer District from 11/14/11 through 12/31/11, and Executive Director of the Sewer District effective 1/1/12, and amending the Compensation Schedule in relation thereto. Unanimous.

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

Respectfully submitted,
Chris Sansom