

Law and Finance Committee Minutes
April 11, 2012 – 4:00 p.m.

Present: Chairman Grattidge; Supervisors Rowland, Sausville, Veitch, Wormuth, Wright, Southworth, Peck, Hargrave, M. Johnson, Kinowski, Collyer, Wood, Yepsen, Lucia, and A. Johnson; Spencer Hellwig, Administrator; Joseph Ritchey, Public Works; Jack Kalinkewicz, Personnel; Daniel Butler, Animal Shelter; George Conway, Ass't. County Attorney; Michael Valentine, IDA; George Martin, Treasurer; Scott Ferron, Town of Malta Resident; Chad Cooke, Sewer District; Hans Arnold, Gerhardt Consulting; Sandra LeBarron, Finch Paper; Joan Privitera, MLTW, Paper; Brian O'Connor, Auditor; Hugh Burke, Steve Dorsey, County Attorney; Cindy Baker, Sam Pitcherale, Treasurer; Sandi Cross, Office for the Aging; Lorraine Emerick, Ken Grey, Marshall & Sterling; Ryan Moore, Mgmt. Analyst; Ed Tremblay, Emergency Services; Kevin McAuliffe, Hiscock & Barclay; Scott Rajeski, Global Foundries; Jim Carminucci, Lemery Greisler, Patrick Seely, Hacker Murphy; League of Women Voters; Press.

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

On a motion made by Mr. Wright, seconded by Mr. Veitch the minutes of the March 14, 2012 meeting were approved unanimously.

EQUALIZATION AND ASSESSMENT

- **Accepting a tender offer on a parcel in the Town of Clifton Park (\$529.90)**
- **Accepting a tender offer on a parcel in the Town of Clifton Park (\$3,771.59)**
- **Accepting a tender offer on a parcel in the Town of Malta (\$704.65)**
- **Authorizing the conveyance of 41 parcels sold at the March Auction to successful bidders.**

Mr. Hellwig said there are four resolutions, with the first three accepting tender offers. Two of the three parcels are being used for municipal purposes, therefore the resolutions will require different wording. The first resolution conveys the Settlers Lane parcel to Clifton Park. The second resolution conveys the Foxwood Drive parcel back to the owner. The third resolution will convey the Little Drive parcel to the town of Malta. The final resolution is authorization for the conveyance of the 41 parcels that were sold at the March auction. The parcels will be conveyed to the successful bidders. The county realized a profit of \$312,877 over the taxes that were owed from the auction proceeds.

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

VETERANS COMMITTEE

- **Supporting State Legislation (S.5049/A.8550) designed to prevent the issue of military deployment from being used as a factor in the awarding of child custody.**

Mr. Hellwig said this resolution is requesting the committee to issue a letter of support for Senate bill S.5049/A.8550 which provides that the issue of military deployment should not be considered as a factor in the awarding of custody where a suitable childcare plan is presented to the court, so that when a member of the military returns from deployment the custody order that was in effect prior to the deployment is reinstated.

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

PERSONNEL

- **Authorizing the Chairman to enter into an agreement with Capital Indemnity Corporation for the Third Party Employer Liability coverage for workers' Compensation at a premium cost of \$23,048.**
- **Amending the Policies and Procedures Manual to establish a revised protocol for evaluating Department Heads through the use of a Performance Development form.**
- **Authorizing County insurance coverage through May 8, 2013 at a total cost not to exceed \$830,058.**

Mr. Hellwig said the first item is to renew the excess liability coverage for the workers compensation program. Under normal circumstances when an injury occurs under workers compensation law you cannot sue the employer unless there is gross negligence. If there is a grave injury the injured person can sue the manufacturer of the product that caused the injury and the manufacturer can then sue the county for those losses. This coverage protects the county from incurring excessive expenses in defending claims.

The second item is a recommendation to amend the Policies and Procedures manual to update the process for conducting managerial evaluations. The committee has identified a number of tasks that will be instituted to promote greater communication between the Board and the Department Heads, as well as increasing productivity. The annual evaluations will include the submission of work materials by each department head, a face to face meeting with each department head and a written report prepared by the County Administrator to be given to the chairman of the Personnel Committee and reviewed by the Personnel Committee before ultimately being turned over to the Chairman of the Board and placed in the employees personnel file.

The final item is that the county's current property and liability insurance will expire on May 8th. We are finishing up on the third year of a three year renewal cycle with Cool Insurance, and

have begun the process of soliciting competitive bids for this year's renewal after hiring Marshall and Sterling last August as an insurance consultant to help in preparing for the renewal this year. Their responsibilities included the preparation of the bid specifications, the assignments of the insurance markets to the various agents and brokers and evaluation of the bids that were submitted, and ultimately issuance of a bid report. Their recommendation to the personnel committee was to stay with the current broker, Cool Insurance who quoted a renewal price of \$830,058.

Mr. Wright asked how many companies initially bid. Mr. Hellwig said there were five initial markets that were assigned and three bids were submitted with Cool Insurance as the low bidder.

Mr. Veitch asked how this compared cost wise to the prior contract. Mr. Hellwig said last year's renewal was \$628,000, so there is approximately a 32% increase.

Mr. Grattidge said there is approximately a \$170,000 difference from what was paid last year and there were have to be a budget transfer from the contingency budget.

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

ECONOMIC DEVELOPMENT

- **Authorizing the Chairman to sign and submit an application to the Local Government Efficiency Grant Program for the 2011-2012 program years and to act as the lead applicant and amending the 2012 budget to provide up to \$2,000 for the local match.**

Mr. Sausville introduced Scott Ferron, a student intern in Malta.

Mr. Hellwig said the Economic Development Committee adopted at their last meeting to authorize Saratoga County to act as the lead agency for a State grant application being submitted on behalf of seven capital region counties and three cities. This is for funding under the State's Local Government Efficiency Grant Program. The grant total is for \$275,000 and will require matching funds from both the counties and the cities. In addition, there will be \$8,000 of additional funds provided by Aeon Nexus and The Center for Economic Growth, which will bring the total available funding to \$302,000 to hire a consulting firm to conduct individual and combined spending assessments on all of the participating counties and identify areas of opportunity for savings.

Mr. Wright asked if the county would have a match. Mr. Hellwig said each one of the seven counties will have to come up with a \$2,000 match and the cities will have a \$1,000 match.

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

BUILDINGS AND GROUNDS

- **Requesting Home Rule Legislation to allow removal of land from reforestation for use by the Town of Moreau as a water pump station upon designation of other County lands for reforestation purposes.**
- **Authorizing a settlement with J. Luk Construction in the amount of \$58,174.81.**

Mr. Hellwig said the first item is a home rule request that is coming back for the second time to be reapproved with the Assembly and Senate bill numbers. The Assembly has also altered language authorizing a conveyance of an easement to the town and replaced it with a requirement of a transfer. Work will continue with Supervisor Jenkins to institute this particular change. The legislation was originally approved by the Board of Supervisors in February to designate a parcel of forest land on Spruce Mountain to replace the piece of county forest land in Moreau that was needed by the town of Moreau to construct a water pump station. The mechanics of the process with the State Legislature requires the county to resubmit the request once the Assembly and Senate have assigned the bill numbers and made any other changes that the legislation is now required to contain.

The second item is a recommendation to settle a claim filed with J. Luk Construction for the amount of liquidated damages that will be paid under the construction contract they have with the county for the Animal Shelter. The amount of the settlement is \$58,174.81 and will be taken from the Animal Shelter capital fund.

On a motion made by Mr. Rowland, seconded by Mr. Wright the above resolutions were approved unanimously.

PUBLIC HEALTH

- **Recognizing National Nursing Home week May 13th through May 19, 2012 and acknowledging the services provided by all the Saratoga County Nursing Homes.**

Mr. Hellwig said the above resolution is recognizing National Nursing Home Week from May 13 – 19, 2012. This is recognizing the vital role that nursing homes and their employees provide to the people they care for.

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

PUBLIC SAFETY

- **Authorizing acceptance of \$128,778 in Homeland Security Funding for the purchase of various equipment in the Sheriff's Department and amending the 2012 budget in relation thereto.**
- **Proclaiming April 22-28, 2012 National Crime Victims' Rights Week.**
- **Acknowledging and accepting the generous donation of \$8,000 from the Cascade Tissue Company and amending the budget to transfer these funds from the Trust Fund account into the operating budget.**
- **Accepting \$125,000 in Regional Hazmat Funding from the NYS Division of Homeland Security and amending the 2012 budget in relation thereto.**
- **Authorizing the acceptance of \$252,222 in State Homeland Security Funding and amending the budget in relation thereto.**

Mr. Hellwig said the first item is the acceptance of a homeland security grant that the Sheriff will be using to cover the cost of an assortment of equipment including license plate readers, transport vehicles, laptop computers and a generator. This is 100% federal funding.

Item two is proclaiming April 22 through 28, 2012 as National Crime Victim Rights Week. There are a number of activities planned for this week, which can be viewed on the District Attorney's website. The resolution reiterates the counties commitment to enforce victims' rights and address their needs, not only during this week, but throughout the year.

The third item is an \$8,000 donation made by Cascade Tissue Company to the Animal Shelter Trust Fund. This resolution will allow the shelter to transfer the money into the operating budget to be used for the purchase of a gurney for transporting dogs for surgery and to help offset the adoption fees for the 135 cats brought in from the Town of Halfmoon.

Item four is an authorization by the Board for the submission of a HazMat grant application to allow the Emergency Services Department to apply for up to \$125,000 in Homeland Security Funding for planning, training and equipment purchases. This application required the participation of two or more hazmat teams to meet the regional funding criteria set by the State. The county partners for this application included Rensselaer, Albany and Schenectady. Saratoga County was the lead agency under the grant agreement with the other four counties. Notice has been received that the grant has been approved.

The final resolution is an amendment to the budget to accept \$252,222 in state Homeland Security Funding that will be used by Emergency Services to purchase an assortment of items such as computer software/hardware, equipment to upgrade the computer aided dispatch system at the Sheriff's Department and repair or replacement of equipment of various meters purchased through previous grants.

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

SOCIAL PROGRAMS

- **Proclaiming May 2012 as “Older Americans Month” in the County of Saratoga.**
- **Authorizing the Chairman to enter into agreements with the Town of Moreau to provide \$20,000 in funding for a senior transportation bus.**
- **Authorizing the acceptance of additional State Aid for the MIPPA/ADRC Program (Medicare Improvements for Patients and Providers Act/Aging and Disability Resource Center) in the amount of \$15,187 and amending the 2012 budget in relation thereto.**
- **Authorizing the acceptance of additional State Aid for the CSE (Community Services for the Elderly) program in the amount of \$56,155 and EISEP (Expanded In-Home Services for the Elderly Program) in the amount of \$13,415 and amend the 2012 budget in relation thereto.**

Mr. Hellwig said the first item is proclaiming May 2012 as “Older Americans Month”. This is to honor older Americans, professionals, family members, and volunteers who care for them.

The second item is authorization to provide \$20,000 in funding to the town of Moreau for the purchase of a Senior Transportation bus. This county contribution was included in the 2012 budget and is funded entirely with State Aid.

The third item is a resolution to accept \$15,187 of State Aid that will be used to replace laptops/desktops and some server equipment within the department. Those purchases are being coordinated with the IT Department.

The final resolution is authorization to accept an additional \$69,570 in State Aid to fund a currently vacant Account Clerk/typist position for the remainder of 2012 at a cost of \$33,459, and \$16,111 of the total will be used to allow the HEAP staff to work an additional three months this year. The final \$20,000 will help fund the purchase of a senior transportation van in the town of Clifton Park.

On a motion made by Mr. Wright, seconded by Mr. Rowland the above resolutions were approved unanimously.

PUBLIC WORKS

- **Authorizing the Chairman to enter into agreements with NYSDOT to accept funding and complete preliminary engineering work for the rehabilitation of the Mott Road**

Bridge over the Snook Kill in the Town of Moreau at a total cost not to exceed \$100,000.

- **Authorizing the Chairman to enter into agreements with NYSDOT to accept funding and complete preliminary engineering work for the rehabilitation of the Stafford-Quaker Springs Road Bridge over Fish Creek in the Town of Saratoga at a cost not to exceed \$198,000.**
- **Requesting a permanent easement from the NYS Office of General Services for the occupation of state-owned waters of the Hudson River for the purpose of completing rehabilitation and future maintenance of the jointly owned Dix Bridge.**
- **Approving the issuance of a draft Request for Proposal to privatize the County Landfill and rescinding Resolution 112-99 in part.**

Mr. Hellwig said the first two items will authorize the Chairman to enter into agreements with the NYS Department of Transportation and to accept funding for engineering work on the Mott Road Bridge in Moreau and Stafford Quaker Springs Road Bridge in the Town of Saratoga. These are both federally funded bridge projects that were included and budgeted in the 2012 Capital Plan.

The second resolution is for authorization to request an easement from the State in order to complete the rehabilitation work on the Dix Bridge in the Town of Northumberland and, in addition, having access to it for future maintenance needs.

The final item is a resolution that is required under general municipal law which provides that the draft RFP proposal to privatize the landfill be set out to prospective proposers for their comment on the content of the RFP. Steps must be taken prior to the issuance of a final RFP. The resolution also contains a resolve of two conditions set forth in resolution 112-99 and those conditions are that the landfill can only be used for solid waste generated within Saratoga County and the facility can only be owned and maintained by Saratoga County.

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

CHAIRMAN'S ITEM

- **Appointing Gene Fedoronko to fill a vacancy on the Saratoga Lake Protection and Improvement District (SLPID)**

LAW AND FINANCE

- **Consenting to the proposed action by the Saratoga County IDA to modify its Uniform Tax Exemption Policy for the Global Foundries Facility in Luther Forest and to enter into an amended PILOT Agreement with Global Foundries.**

Mr. Hellwig said this item is a resolution asking for the Board of Supervisors' consent for proposed changes to the IDA Uniform Tax Enforcement Policy and Pilot Agreement with Global Foundries. It is required because at the time the planned development districts were created in Luther Forest, the Saratoga County Industrial Development Agency agreed to adopt a revenue sharing plan devised by Malta, Stillwater, the Ballston Spa School District and Stillwater School District and that amendment to the pilot would not be done without the consent of all the taxing jurisdictions. At this point, all four of them have approved these changes and the Board's consent is now needed to finalize the process.

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

- **Authorizing the Chairman to enter into an agreement with Environmental Design Partnership, LLP for the design, contract administration and field inspection of the Saratoga County Sewer District's Phase 4 Interceptor Repair project at a cost not to exceed \$29,300.**

Mr. Hellwig said this is a contract with Environmental Design Partnership for \$29,300. This will cover the design contract, contract administration and field inspection for sewer interceptor repair and relining work scheduled to be done in the town of Ballston.

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

- **Authorizing the Chairman to enter into an agreement with McDonald Engineering for the design, contract administration and inspection of the Saratoga County Sewer District's Non-Potable Water Pump Replacement project at a cost not to exceed \$21,960.**

Mr. Hellwig said the above item is a contract with McDonald Engineering for \$21,960, which includes design, contract administration and inspection for the replacement of six non-potable water pumps at the treatment plant. The pumps are the originals to the plant and had reached the end of their service life.

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

Mr. Grattidge said the monthly budget reports were mailed to all committee members. A scheduled meeting has been made for the budget committee for April 18th with an overview of how the year 2011 ended, in addition to reviewing how the first quarter of 2012 is going.

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

Respectfully submitted,
Chris Sansom