

Law and Finance Committee Minutes
December 12, 2012 – 4:00 p.m.

Present: Chairman Grattidge; Supervisors Daly, Rowland, Sausville, Veitch, Wormuth, Wright, Hargrave, M. Johnson, Collyer, Yepsen, Jenkins, Raymond, Wood, Lucia, and Kinowski; Spencer Hellwig, Administrator; Hans Lehr, Mental Health; Steve Dorsey, County Attorney; Diane Brown, Maplewood Manor; Jason Kemper, Planning; Mickey Mahoney, Probation; Jack Kalinkewicz, Personnel; George Martin, Sam Pitcherale, Treasurer; Brian O’Conor, Auditor; Chad Cooke, Sewer District; Keith Manz, Public Works; Joanne Bosley, Real Property; Sandi Cross, Office for the Aging; Kathy Marchione, County Clerk; Press.

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

On a motion made by Mr. Rowland, seconded by Mr. Sausville the minutes of the November 14, 2012 meeting were approved unanimously.

PERSONNEL AND INSURANCE

- **Authorizing an increase to the charge for Civil Service Exams to cover the costs associated with providing these exams for both residents and non-residents of Saratoga County.**
- **Authorizing a renewal of the agreement with Benetech, Inc. to provide health insurance consulting services on a month to month basis at a cost not to exceed \$6,037.50 per month.**
- **Amending Resolution #181-12 to approve a revised standard workday resolution for elected and appointed county officials for retirement purposes.**

Mr. Hellwig said the first resolution is a change in the County Civil Service Exam fees which are used to offset the County’s costs for exam booklets and the processing of the exams. Prior to 2011 the county was charged per examination that was graded. Since then the County has been billed for each examination booklet that is purchased. In 2011 there were approximately 1,300 booklets purchased at an approximate cost of \$10,000. In the total there were 310 no shows which resulted in over \$2,300 in unnecessary costs. As a result of that, a request is being made to not only increase the fees to cover the costs from \$7.50 to \$12.50 for non-uniform and uniform exams to \$10 and \$20 respectively and also charge fees on all the applications that sit for these exams regardless of residency.

The second item is a contract with Benetech, Inc., the county’s health insurance consultant, which expires at the end of December. In November the Board of Supervisors approved a contract with Empire Blue Cross to take over a new provider. As a result of that and the complexities associated with that transition, we would like to continue the agreement with

Benetech on a month to month basis through the transition period. This will be done at a cost consistent with the expiring contract.

The final resolution is a standard workday resolution which needs to be amended to reflect changes in the position of Commissioner of Social Services when Tina Potter was appointed to that position after Robert Christopher.

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

ECONOMIC DEVELOPMENT

- **Approving the continuation of the Consolidated Agricultural District #1 as recommended by the County Agricultural & Farmland Protection Board and the County Planning Board.**

Mr. Hellwig said every year under the agriculture markets law the county is required to conduct a review of the agricultural districts in order to determine whether or not they need to be modified or deleted. This year the review of district one was conducted by the Agricultural Farmland Protection Board and the County Planning Board and both boards are recommending the continuation of the districts unchanged for another eight years.

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

BUILDINGS AND GROUNDS

- **Authorizing the Chairman to enter into an agreement with Stilsing Electric to perform the decommissioning of the Maplewood Manor co-generation plant at a cost of \$105,865 and amending the budget in relation thereto.**
- **Authorizing the Chairman to enter into a lease renewal agreement with Stewart's Ice Cream Co., Inc. for chamber for Supreme Court Justice, Stephen Ferradino.**
- **Amending Resolution #207-12 to modify the lease agreement with Saratoga Prime Properties, LLC for Mental Health office space to incorporate a fixed cost for exterior improvements required by the City of Saratoga Springs.**

Mr. Hellwig said the first item is a contract award with Stilsing Electric to perform the necessary mechanical and electrical work that is needed to complete the decommissioning of Maplewood Manors cogeneration plant so they can return to the standard power grid.

The second item is a lease agreement with Stewart's Ice Cream for Supreme Court Chambers at a monthly cost of \$12 per square foot, plus a proportionate share of the operating costs for

Judge Ferradino. This is a one year renewal agreement with no increase in the expiring agreement.

The final item is an amendment to resolution 12-207 which authorized a ten year lease agreement with Saratoga Prime Properties for office space for the Mental Health Department. The costs that were used to calculate the monthly lease amount did not factor in the additional fit up costs for exterior improvements that are anticipated by the building owner during the approval process that he has to undertake for the City of Saratoga Springs. To factor in the additional costs for work the lease is being modified to change the date of the first 3% increase in our monthly payments from year six to year four, with additional increases every two years.

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

RACING

- **Expressing the Board of Supervisors' strong support for Saratoga Casino and Raceway as a location for one of the seven potential casinos to be authorized by the State Legislature pending the amendment of Article 1, Section 9 of the New York State Constitution.**

Mr. Hellwig said the Racing Committee has asked for the Board's support for the Casino and Raceway to be one of the potential casino's expected to be authorized by the State Legislature . The committee and other stakeholder groups in the county believe if casino gambling is going to happen in New York State, it would be in the best interest of the county to include Saratoga Casino as one of the locations rather than have them located in a neighboring county.

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

PUBLIC HEALTH

- **Authorizing the Chairman to enter into a renewal agreement with Thomas Nicolla Consulting Services, PLLC to provide physical therapy services at an hourly rate of \$46.48.**
- **Authorizing the Chairman to enter into a lease agreement with the Home of the Good Shepherd to provide temporary housing for residents displaced by fire at a cost of \$44.13 per day per resident.**
- **Authorizing the Chairman to enter into one year renewal agreements with agencies providing various counseling, substance abuse, vocational, housing and case management services.**

- **Authorizing payment to Harris Beach, PLLC for professional services provided under Phase 3 of their consulting contract at a cost not to exceed \$35,000.**

Mr. Hellwig said the first item is for authorization to enter into an agreement in 2013 with Thomas Nicolla Consulting Services, PLLC to provide physical therapy services at Maplewood Manor. They are the current provider at an hourly rate of \$46.48, and that rate will remain the same.

Mr. Hellwig said as a result of a fire at the Home of the Good Shepherd, Maplewood accepted 22 residents from that facility who were displaced as a result of the damage due to the fire, smoke and water that the facility encountered. Maplewood Manor has not incurred any personnel costs associated with the care of these residents, since they are being cared for by the homes own staff. However, there are assorted expenses which Maplewood has calculated to total \$44.13 per day per resident. A request has been made for authorization to enter into a lease agreement with the Home of the Good Shepherd to cover these costs.

The next item is for authorization to renew the community Mental Health contracts with the various providers of the services that are coordinated through the Mental Health Department.

Mr. Hellwig said in March the Public Health Committee approved a contract with Harris Beach who was the low proposal for consulting services to assist the county in identifying the options for the future management of Maplewood Manor. The agreement identified three distinct phases, which included an assessment and options identification, RFP review and proposal selection, and a third phase, which is guidance and implementation on any changes that were related to continued ownership and disposition. Of the three phases, the first two have been completed and at this point there is a need for a resolution for authorization to pay for a portion of the phase three services that will lead up to the point at which the LDC takes over. Mr. Hellwig said his relationship with one of the principals in the company, Carl Slate, is no longer in place.

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

PUBLIC SAFETY

- **Authorizing the Chairman to enter into successor agreements to provide additional law enforcement services in 2013 with the Town of Halfmoon (at a total cost of \$201,378) and the Town of Clifton Park (at a total cost of \$519,037).**
- **Authorizing the Chairman to enter into an agreement with the NYS Division of Criminal Justice Service to accept \$44,745 in State aid for reimbursement of expenses related to the implementation of the Ignition Interlock Program.**

- **Authorizing the acceptance of \$22,680 of additional state funding to supplement STOP-DWI enforcement activities**

Mr. Hellwig said the first item is for authorization for the renewal of the contracts between the Sheriff's Department and the towns of Halfmoon and Clifton Park for law enforcement services. These are all one year agreements totaling \$519,037 for Clifton Park and \$201,378 for Halfmoon. They are unchanged from the 2012 amounts and they won't be modified until the labor contracts are settled.

The second item is an ignition interlock grant that will provide reimbursement to the Probation Department for expenses related to the monitoring of probation as required to participate in the ignition interlock program.

The NYS Governor's Traffic Safety Committee has released additional funding in an amount just over \$1.2 million to supplement the efforts of the STOP DWI Programs across the state. This resolution will allow the county to access our allocation of \$22,680 which is based on the number of law enforcement agencies that participate in the county as well as their anticipated hours on the STOP DWI checkpoints over the next year.

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

SOCIAL PROGRAMS

- **Authorizing the Chairman to enter into an agreement with the Moreau Community Center to provide \$12,000 in funding for a senior transportation bus.**

Mr. Hellwig said the above resolution is for authorization to provide a \$12,000 contribution toward the purchase of a bus by the Moreau Community Center to be used to transport seniors to local senior programs. The funding is pass through money from the State of New York.

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

PUBLIC WORKS

- **Authorizing the Chairman to enter into an agreement with Mark Schachner to provide legal services related to the privatization of the County landfill and an amendment to the consulting contract with Gerhardt, LLC for additional consulting services not to exceed \$8,000.**

- **Authorizing the Chairman to execute a supplemental agreement with the NYSDOT to access additional funding for the purchase of right-of-way necessary for the replacement of U.S. 4 over the Anthony Kill Bridge in the City of Mechanicville.**

Mr. Hellwig said the first item is for authorization for a retainer agreement with Mark Schackner to serve as special counsel for legal services related to the privatization of the county landfill that will be done at a cost not to exceed \$9,500. The resolution will also authorize an amendment to the current agreement with the landfill consultant Gerhardt, LLC to provide additional consulting work at a cost not to exceed \$8,000 which is for services that they will be providing to complete the management of the RFP process that will ultimately lead to the selection of a private operator.

The second item is for authorization to the Chairman to execute a supplemental agreement with the NYSDOT to access additional grant funding for the purchase of a right of way that was determined to be necessary as a result of the design phase during the design of the bridge replacement over the Anthony Kill in the City of Mechanicville.

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

LAW AND FINANCE

- **Authorizing the County Treasurer to make express payments to the County's medical prescription drug and dental health insurance carriers in advance of an audit by the County Auditor and the Personnel Department, contingent upon a pre-audit review by the County's health insurance consultant.**

Mr. Hellwig said at the beginning of the year the county moved to an Administrative Services Only agreement with Blue Shield that required the county to make weekly payments to cover the cost of employee health insurance claims. Initially, there was an auditing issue because under this agreement the payment was required within forty eight hours of the receipt of the bill from Blue Shield. The solution to this was for the Board to exercise their authority through a resolution to permit express payments in advance of the claims audit. Since we have now moved to a new provider, i.e., Empire Blue Cross, the original resolution that lists Blue Shield by name must now be modified. The resolution in its current form will allow us to use generic terms such as healthcare provider and healthcare consultant as opposed to naming them specifically. Each time those providers change through the contract process and the bidding process this resolution will not have to be brought back to update it.

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

- **Confirming the 2013 scale of charges for the Saratoga County Sewer District.**

Mr. Hellwig said the proposed scale of charges was approved for 2013 by the Sewer Commission and was presented at a Public Hearing on November 7, 2012 with no changes. At this time the Board's approval is required before the rates can go into effect.

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

- **Levying amounts payable to County Treasurer and Town Supervisors.**

Mr. Hellwig said the levying amounts payable to the County Treasurer and Town Supervisors is the authorization that is needed for the county to issue the tax bills.

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

- **Authorizing the Chairman to enter into an agreement with New York State to accept a Local Government Records Management Improvement Fund Grant in the amount of \$40,619 and authorizing the filling of seven (7) position of Clerk part-time effective 1/1/13 – 12/31/13 and amending the 2013 Adopted Budget in relation thereto.**

Mr. Hellwig said the County Clerk is requesting approval to accept a \$40,619 local records management improvement grant. The money is used for archiving and records management work. This resolution authorizes the county to accept the money and amend the compensation schedule to create seven part time positions to perform the work.

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

- **Establishing January 2, 2013 at 2:00 p.m. as the date and time for the organization meeting of the Board of Supervisors.**

Mr. Hellwig said the final resolution is required to establish January 2, 2013 at 2:00 p.m. as the time and date for the organizational meeting of the Board.

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

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

Mr. Grattidge said the monthly budget report seems to be running fairly well going into the last month. He said if anyone has any questions about the report they should direct them to either Spencer Hellwig or Ryan Moore. Yearend materials will be coming through as the budget is closed out for the year. He thanked the Administrator for putting together a monthly budget report and encouraged the incoming Law and Finance Chairman to continue the practice.

Respectfully submitted,
Chris Sansom