

Law and Finance Committee Minutes
April 9, 2014 – 4:00 p.m.

Present: Chairman Veitch; Supervisors Lewza, Wright, Sausville, Lawler, Richardson Jenkins, Martin, Wood, Lucia, Johnson, Barrett and Lent; Spencer Hellwig, Administrator; Craig Hayner, Charles Foehser, County Clerk; Michael Zurlo, Sheriff; Oscar Schreiber, Public Defender; George Martin, Treasurer, Sam Pitcherale, Cindy Baker, Treasurer; Diane Brown, Maplewood Manor; Brian O’Conor, Auditor; Marcy McNamara, Jack Kalinkewicz, Personnel; Steve Dorsey, County Attorney; Keith Manz, Public Works; Chad Cooke, Sewer District; Sandi Cross, Aging; Ryan Moore, Deputy Administrator; Ira Neifeld, Cool Insuring; Press.

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

On a motion made by Mr. Lewza, seconded by Mr. Wright the minutes of the March 12, 2014 meeting were approved unanimously.

BUILDINGS AND GROUNDS’

- **Authorizing the Chairman to enter into a five year agreement with Macerich Company to lease 3,685 square feet of office space for a Motor Vehicle Office in Wilton Mall at a rental rate of \$20.60 per square foot with an annual increase of 2.5% to 3% and an electrical rate of \$4 per square foot with an annual increase of 2%.**
- **Authorizing the Chairman to enter into an agreement with McFarland Johnson in an amount not to exceed \$29,750 to provide engineering and appraisal services for the acquisition of land and/or avigation easements for the removal of tree obstructions at the Saratoga County Airport and amending the budget in relation thereto.**

Mr. Hellwig said the first item is for a resolution to authorize a new lease with Wilton Mall for a DMV satellite office, which will be relocated to a different location within the mall. He congratulated the new county clerk, Craig Hayner, on saving the county over \$10,000 with the renewal this year, going from \$66,950 down to \$55,311. Mr. Hayner was also able to negotiate a fixed cost for electricity, which was approximately \$12,000 last year, down to \$10,700 this year. In both cases there will be a cost adjustment on an annual basis of 2.5% to 3%.

The second resolution is to authorize engineering appraisal services that will be necessary to clear the tree obstructions to the approach on Runway 23 at the county airport. The FAA requires an appraisal first as a precondition of FAA agreeing to fund the actual work of obtaining and clearing the trees around the perimeter.

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

PERSONNEL AND INSURANCE

- **Authorizing the Chairman to enter into an agreement with Capital Indemnity Corporation for third party employer liability coverage for Workers Compensation for our Self Insurance plan at a cost not to exceed \$24,493.**
- **Amending the 2014 Saratoga County Compensation Schedule and under Maplewood Manor to delete one Patient Agent and create one Patient Agent, PT and one Receptionist, PT.**
- **Authorizing the acceptance of a NYS Office of Indigent Legal Services grant in the amount of \$255,463 for local implementation of the Upstate Quality Improvement and Caseload Reduction project, and amending the Compensation Schedule and the 2014 budget in relation thereto.**
- **Authorizing County's insurance coverage through May 8, 2015 at a cost of \$891,461.24.**

Mr. Hellwig said the first resolution will be to authorize a renewal of the county's excess liability coverage for the workers compensation program. Under normal circumstances, when an injury occurs, under the workers comp law, you cannot sue the employer unless there is some form of gross negligence. In an event an employee that is covered under workers comp was to sue the manufacturer of the equipment, there is a possibility that the equipment manufacturer could sue the county for any losses that resulted from that. This policy would protect the county from that potential.

The second resolution is to allow Maplewood Manor to restructure the patient agent position in the facility to better fit the current workload. Due to a decrease in the workload of the patient agent, Mrs. Brown has determined that there is no longer a need for a full time position to deal with this work, and has proposed that the position be converted to part time, and, in addition to that, a part time receptionist position be created. The employee that is currently in the receptionist position will be taking a job in the Sheriff's department. Money will be saved in the change, due to the fact that part time positions don't include benefits.

The third resolution is from the office Of Indigent Legal Services, where they have selected the Public Defender's office to receive a three year grant in the amount of \$255,463. This will be used to reduce caseloads that the full time attorneys are currently managing. The compensation schedule will be amended to create two part time positions which will be filled with the attorneys that are hired under the grant. In the event that the funding goes away, so will these positions.

The final resolution will be to approve the county's insurance for a new one year term beginning May 8, 2014. The same coverage will be extended that is currently in place on the expiring policies. This renewal will be done at a savings of 2.5% below the premiums for last year.

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

ECONOMIC DEVELOPMENT

- **Directing the County Administrator and County Attorney to begin the formation of a Local Development Corporation for the purpose implementing the Saratoga County Economic Development Strategic Plan, including preparation of a Certificate of Incorporation to be approved by the Board of Supervisors at a later date.**

Mr. Hellwig said last month the Board unanimously adopted the Economic Development Strategic Plan that was prepared by TIPP Strategies. In the plan there was a recommendation to create an LDC to serve as the County's official Economic Development Organization. The purpose of the LDC is to unite the economic development community and the various entities across the county to have a partnership amongst all those that have an interest in economic development success in the county. There are a number of administrative steps that need to be taken to set up the LDC, including a resolution that will direct the County Administrator and County Attorney to begin working on the Certification of Incorporation that will ultimately need to be adopted by the full Board of Supervisors at next month's Board Meeting. The LDC will not officially be created until the Board has had an opportunity review the certificate.

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

EQUALIZATION AND ASSESSMENT

- **Authorizing the conveyance of 34 parcels sold at the March auction to successful bidders.**
- **Accepting a tender offer on a parcel in the Town of Moreau for \$10,256.52.**
- **Authorizing the conveyance of a tax-acquired parcel in the Town of Northumberland in settlement of bankruptcy litigation.**

Mr. Hellwig said the first item is to accept the successful bids from the March tax foreclosure auction. Of the 40 parcels that went to auction, 34 were sold, which left 6 that weren't. The total revenue for the auction was \$612,225. The net profit was \$401,687.

The second resolution is to approve a tender offer in the Town of Moreau, where the property will be conveyed back to the Estate of the former owner in consideration of payment of 2010, 2011, and 2012 back taxes plus penalties and interest. This parcel was pulled last month from the property auction, but action was delayed on the conveyance because it was not immediately clear at the time who the property would be deeded back to, as the prior owner was deceased. At this point, the property will be deeded back to the estate.

The final resolution will be to convey a parcel in Northumberland back to the prior owner who filed Chapter 13 bankruptcy in February, after the county had already taken title to the property. A motion was brought to bankruptcy court to reverse the county acquisition of title of the property on the grounds that the conveyance to the county defrauded her creditors. The prior owners Attorney and the bankruptcy trustee have agreed with the County Attorney's office that the conveyance of this property will be conditioned upon the court approving a Chapter 13 repayment plan that pays all the delinquent taxes, penalties and interest back to the county within two to three years.

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

PUBLIC HEALTH

- **Authorizing the Chairman to enter into an agreement with ACC Technical Services, Inc. for design, installation, training, and first year maintenance expenses for the implementation of an electronic billing system for the Public Health Nursing service's Immunization Program in an amount not to exceed \$17,000.**
- **Recognizing National Nursing Home Week, May 11th through May 17, 2014 and acknowledging the services provided by all Saratoga County's nursing homes.**

Mr. Hellwig said the first resolution will be to authorize a contract with ACC Technical Services to build a web-based electronic billing system for Public Health's Immunization program. The new system will allow for the keeping of more accurate records as well as to maximize the revenue. In January the Board accepted a \$24,950 Immunization billing Implementation Grant, and \$17,000 from that grant was earmarked to cover the cost of this contract.

The second item is a resolution from Maplewood Manor recognizing National Nursing Home Week, which is scheduled for May 11th through 17, 2014, in recognition of the vital role that our nursing homes and employees provide to the people that they care for.

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

PUBLIC SAFETY

- **Authorizing the Chairman and the Sheriff to enter into an agreement for additional police services for the Village of Corinth.**
- **Authorizing participation in the 2014 STOP DWI Program and contracts with local agency participants.**

Mr. Hellwig said the first resolution is a request from the Sheriff to authorize the renewal agreement with the Village of Corinth for the Sheriff to continue to provide law enforcement services. The services are provided at a level above what is typically provided by the regular patrols. The amount of \$298,800 being charged is the same as the expiring agreement and is consistent with other agreements with towns in the county.

The second resolution is the Board's annual approval that is required to authorize participation in the STOP DWI Program which is covered through the collection of DWI fine monies to fund law enforcement, substance abuse treatment, education and various other prevention measures.

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

PUBLIC WORKS

- **Authorizing the implementation and funding for 100% of the Federal and State Aid programs eligible costs for the construction and inspection related to the replacement of the Central Avenue Bridge over the Anthony Kill in the City of Mechanicville in the amount of \$3,331,903.**
- **Authorizing an amendment to the Greenman-Pedersen consulting agreement to provide construction support and inspection services related to the replacement of the Central Avenue Bridge over the Anthony Kill in the City of Mechanicville in the amount of \$258,000.**

Mr. Hellwig said the first resolution is for authorization to enter into agreements with the NYS Department of Transportation to accept the funding for the construction and inspection for the replacement of the Central Avenue Bridge in Mechanicville.

The second resolution will authorize an amendment to the Greenman-Pedersen consultant agreement so that they can provide construction support and inspection services related to the replacement of the bridge.

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

LAW AND FINANCE

- **Authorizing an amendment to Resolution #231-10 to cover an additional \$240,000 in design, contract administration and field inspection services by John D. McDonald Engineering, P.C. for the upgrade of the Saratoga Lake sewer lines and for a new sewer line in the Town of Halfmoon.**

Mr. Hellwig said the Sewer District has a contract with McDonald Engineering in the amount of \$867,874 to provide the design, construction, and administration for the Saratoga Lake Project upgrade. There have been a number of unanticipated construction issues over the past year. In addition, a longer construction duration which has resulted in the commission requesting an amendment to the contract with McDonald Engineering to cover some additional services that are going to be necessary to complete the work around Saratoga Lake, as well as a new line into the Town of Halfmoon. The construction course of the project will be completed under budget. It is projected to be approximately \$500,000.

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

- **Authorizing an agreement with Environmental Design Partnership, LLP to perform design, contract administration and bidding work related to the Sewer Districts Phase V Interceptor Replacement at a cost of \$40,000.**

Mr. Hellwig said the above resolution is for authorization to enter into an engineering contract to cover the next phase of the interceptor relining for the sewer district's main interceptor line. This year's phase will cover approximately 2,500 to 3,000 ft. of interceptor line within the town of Ballston. The county has approximately \$1 million budgeted and the fee for the engineering will come out of that total.

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

- **Proclaiming May 2014 as "Older Americans Month" in the County of Saratoga.**

Mr. Hellwig said the above resolution is to honor Senior Citizens, Professionals, Family Members and Volunteers who care for them. The annual Senior Luncheon is scheduled for May 16, 2014 at the City Center.

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

- **Authorizing the Chairman to enter into an agreement with Zimmet Healthcare Services group. LLC and Saratoga Care Consulting, LLC for the provision of clinical reimbursement, compliance, therapy, and general reimbursement support services at**

Maplewood Manor at a cost not to exceed \$8,000 per month plus out of pocket expense.

Mr. Hellwig said the above resolution was brought forward by Zenith Care, which was selected by the Maplewood Manor LDC as the next owner. They have asked the county to support the hiring of Zimmet Healthcare Services Group who specializes in Medicaid reimbursement and various compliance work for a fee of \$8,000 per month, plus out of pocket expenses. Zimmet will assist the Maplewood staff to identify lost revenue opportunities and make improvements in areas such as coding and clinical reimbursement, which will ultimately result in a higher case load index, which will then determine the Medicaid rate. All of the county's expenses for the work will be reimbursed by Zenith.

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

- **Requesting Home Rule Legislation to amend Public Authorities Law 1199-ddd to revise the membership composition requirements for the Saratoga County Water Authority Board.**

Mr. Hellwig said the above resolution is necessary to modify home rule legislation which was passed by the Board last month to modify the membership requirements for the Water Authority Board. The bill numbers have been received that were signed by the NYS Senate and Assembly and will have to be readopted with the bill numbers in order to comply with the State's rules.

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

The Year End and Quarterly Budget reports were distributed to all committee members for their review. Mr. Hellwig said it contains two sections; section one contains a section of year end expense and revenue totals for all seven counties operating funds, along with a brief summary of how the year ended. At the beginning of 2013 the county budgeted \$1,022,000 to balance the 2013 budget which was from the county's \$10.5 million fund balance. The county avoided any use of the fund balance and finished the year with \$20.2 million, which was \$9.6 million more than what was started with at the beginning of the year. Mr. Hellwig said he shared this information with Moody's when they did their bond rating of the county. The county Treasurer, Finance Director, Deputy Administrator and Administrator were all very certain that the county's financial circumstances were improving and would continue to improve throughout the end of the year and these numbers represent evidence of that success. Mr. Hellwig said overall there was approximately \$3.7 million saved in the general fund in personnel and benefits, which was a result of the hiring freeze and benefits that didn't have to be paid when positions were vacant. Based on savings that were being realized during the course of the year, there was no general fund subsidy of Maplewood Manor in 2013, which was

the first time in ten years that the county did not have to provide an inter-fund transfer to cover an operating deficit.

Mr. Veitch congratulated past Chairman Grattidge, past Chairman Wood and all Supervisors for their hard work on the budget and tough choices that had to be made.

Mr. Hellwig said section two provides a summary table, narrative and spread sheet explaining what the numbers represent as well as an early estimate of where the county is headed based on a review of the financial information through the first three months of 2014.

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

Respectfully submitted,
Chris Sansom