

Law and Finance Committee Minutes  
September 12, 2017 – 4:00 p.m.

Present: Chairman Collyer; Committee members Preston Allen, Kevin Tollisen, Matt Veitch, Mo Wright; Supervisors Phil Barrett, Vince DeLucia, Alan Grattidge, Art Johnson, Dick Lucia, Peter Martin, Bill Peck, Dan Pemrick, Tom Richardson, Jonathan Schopf, Tim Szczepaniak, Tom Wood and Chairman of the Board Ed Kinowski; Spencer Hellwig, Chad Cooke, County Administrator; Steve Dorsey, County Attorney, Brian O’Conor, Auditor; Shauna Sutton, County Clerk; Marcy McNamara, Diane Brown, Human Resources; Cathi Duncan, Public Health; Michael Zurlo, Sheriff; Cindy Baker, Treasurer; Press.

Chairman Collyer 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 August 9, 2017 meeting were approved unanimously.**

**On a motion made by Mr. Wright, seconded by Mr. Allen, the following resolutions were approved unanimously.**

**PUBLIC SAFETY**

- Proclaiming September 17th through the 23rd, 2017 as Sheriff’s week in Saratoga County.
- Proclaiming October 2017 as "Domestic Violence Awareness Month" in Saratoga County.
- Authorizing the Chair to accept a \$217,437 State Homeland Security Program (SHSP) grant to cover Emergency Services departmental expenses for emergency notification network, equipment, training, related services and amending the 2017 budget in relation thereto.
- Authorizing the acceptance of a Corporate Donation from Canadian Pacific of a surplus rail car and approving the Asset Donation Agreement for same.
- Authorizing a rate increase from \$45 per call plus mileage to \$90 per call plus mileage for Animal Shelter calls that require staff to respond to animal control issues.

Mr. Hellwig said that the first item recognizes the historical contributions that the Sheriff’s office and Department has made. The second item is at the request of the District Attorney. The District attorney’s office has two full time attorneys prosecuting domestic violence cases to assist those who have been victimized. For the third item, the funds will be used toward the purchase radio equipment, dive equipment, cover training costs and transportation of a donated rail car. For the fourth item, the rail car will be used for fire service and emergency responder training. For the final item, Mr. Hellwig said that calls are typically during off hours and per the current

collective bargaining agreement, the county is required to pay employees who are called out a minimum of 3 hours. Mr. Hellwig said that there are approximately 17 calls per year. Mr. Wright requested information be sent to Gramercy Communications regarding the proclamations and donation to keep the public informed of the County initiatives.

**On a motion made by Mr. Tollisen, seconded by Mr. Veitch, the following resolutions were approved unanimously.**

### **HUMAN RESOURCES & INSURANCE**

- Authorizing an amendment to the County's Policies and Procedures Manual to provide for a revision to the Health Insurance Policy.
- Authorizing an amendment to the 2017 Saratoga County Compensation Schedule to reduce the County Auditor salary grade from Grade 19 (\$88,201) to Grade 17 (\$77,090) effective September 22, 2017.

Mr. Hellwig said that for the first item, changes include coverage beginning on the first day of the month after a new employee starts as opposed to them having to wait 60-90 days for coverage to begin. There are also changes to the effective dates related to employees that are terminated or resign from county employment as well as terms of coverages provided to spouses of employees that may pass away. Mr. Hellwig said that the revised policy was sent out however he also asked Mrs. McNamara to put together a summary of the changes. Mrs. McNamara distributed the summary. For the second item, the position was upgraded in the past as a result of the Auditor being asked to do claims auditing of the health insurance policy, the decision is now being made to transfer that work back to the Human Resources department. As a result of that work no longer being handled by the Auditors office, the salary will be returned to the former level.

**On a motion made by Mr. Veitch, seconded by Mr. Allen, the following resolution was approved unanimously.**

### **EQUALIZATION & ASSESSMENT**

- Authorizing acceptance of tender offers in the Town of Hadley for \$14,403.24 and the Town of Malta for \$14,451.10.

Mr. Hellwig said that both tender offers are covering delinquent taxes from 2014-2017. Mr. Hellwig also said that a special E&A meeting is scheduled for September 19 at 3:30pm to handle any additional tender offers that come in between now and the board meeting. Mr. Collyer said that there are currently 28 parcels on the auction list.

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

### **PUBLIC HEALTH**

- Authorizing an amendment to Resolution 151-2017 to correct fee amounts and frequency of fees in relation to the contract with Complia Health, LLC for medical record software licenses.

Mr. Hellwig said that there were references to savings being made on a quarterly basis however it should have been on a monthly basis.

A discussion took place regarding the introduction of a local law to raise the legal age for the purchase of tobacco products in Saratoga County to 21 years of age and setting a date for a public hearing. Mr. Wright said that they just received the draft local law and that the committee could use additional time to ask several questions that need to be answered before moving forward. Mr. Veitch agreed. Mr. Dorsey said that the draft local law was sent out last month to all board members for their input. Input was received and changes were made at the Public Health committee on September 12. Mr. Szczepaniak said that research is currently being done on the enforcement part, and that may take some time. It was decided to hold off on moving the item forward at this time.

**On a motion made by Mr. Tollisen, seconded by Mr. Veitch, the following resolutions were approved unanimously.**

### **LAW & FINANCE**

- Authorizing a renewal agreement with EFPR Group LLC for independent audit services for the years 2017-2021.
- Proclaiming October 2017 as “Manufacturing Month” in Saratoga County.

For the first item, Mr. Hellwig said that the EFPR Group has recently completed the 2016 audit at a cost of \$87,560. The renewal agreement will authorize them to do the financial statements and the single audit for the years 2017-2021. The current proposal has a cost of \$65,820 for 2017 with 1.4% increases each year after that. The reduction in cost is due to Maplewood Manor no longer being included. The second item is to recognize the role that manufacturing companies have in the county. Saratoga County has 135 manufacturing companies with approximately 8,000 employees and a gross payroll of \$675M.

A discussion took place regarding the initiation of litigation against Opioid Manufacturers and Distributors. Mr. Collyer said that a committee is being put together to meet on the issue, members include Mr. Tollisen, Mr. Peck, Mr. Johnson and Mr. Hellwig. Mr. Hellwig said that Legislative & Research has reviewed the possibility of litigating as a result of the expenses that the county has incurred in various departments including Mental Health, Probation and law enforcement. Mr. Hellwig said that there are currently two law firms that are involved in the litigation and that there is an urgency in the decision making process because the State is looking at a potential global settlement. The sooner the county makes a decision to pursue it and select a law firm, the better prepared they will be and positioned to negotiate what makes sense for Saratoga County. Mr. Dorsey distributed a handout which was part of a power point

presentation from one of the law firms, Napoli Shkolni. The handout is a brief outline of who they are suing and why, the types of causes of action being brought forward. Mr. Dorsey said Napoli Shkolni is suing manufacturers and distributors and the other firm, Symonds Hanley Conroy, is suing manufacturers only. The focus will be on additional costs incurred by the county through Medicaid, law enforcement etc. Mr. Dorsey said that a report from Dr. Prezioso from Mental Health indicated that opioid related costs last year were in excess of \$300K. Mr. Dorsey said that these firms would meet with individual departments involved, comb through their records to determine exactly what the county's damages are. Mr. Dorsey said that they have not met with the other firm yet. Mr. Dorsey said that the Office of Court Administration has recently determined that the lawsuits be assigned to one judge in Suffolk County. Mr. Dorsey said that they are looking for the approval of Law & Finance Committee to move forward to interview the firms, the hope is to conduct interviews at the end of the month and come back in October authorizing the commencement of litigation and retaining one of the two firms. **The committee agreed.** Mr. Barrett confirmed with Mr. Dorsey that although the County would be in a law suit with several other counties, the damages of each county would coincide with the actual expenses of each county. Mr. Martin asked if there had been other states in the country successful in these lawsuits, Mr. Dorsey said that there have, one of which was Texas.

**A motion made by Mr. Tollisen, seconded by Mr. Veitch, to amend the previously approved change to the County's Policies and Procedure Manual under Human Resources and Insurance. Unanimous.**

Mr. Tollisen said that upon reviewing the health insurance policy revision, he has noticed that upon the death of an employee, the county was covering spouse and dependent health insurance for the remainder of the month plus a month, the new policy would only provide coverage to the end of the month and he believes this is too harsh. Mr. Tollisen said that they need to be a little more sympathetic and sensitive to the employees in this regard. Mr. Peck agreed. Mr. Tollisen requested that the language for this particular change be removed and maintain what is currently in place.

**On a motion made by Mr. Tollisen, seconded by Mr. Allen, the meeting was adjourned unanimously.**

Respectfully submitted,  
Therese Connolly  
Deputy Clerk of the Board