

Legislative and Research Committee Minutes  
February 6, 2018 – 3:30 p.m.

Present: Chairman Tim Szczepaniak; Supervisors Vince DeLucia, Tara Gaston, Art Johnson, Matt Veitch, Tom Wood, Mo Wright and Chairman of the Board Ed Kinowski; Chad Cooke, County Administrator; Steve Dorsey, County Attorney; Susan Hayes-Masa, Coroner; Andrew Jarosh, Treasurer; Press.

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

Mr. Szczepaniak announced the appointment of Mr. Veitch as the Committee Vice-Chair.

**On a motion made by Mr. Veitch, seconded by Ms. Gaston, the minutes of the November 8, 2017 meeting were approved unanimously.**

**A motion was made by Mr. Veitch, seconded by Ms. Gaston, to adopt the 2018 Legislative Agenda. Unanimous. Ms. Gaston requested a separate vote on item #7. Mr. Dorsey suggested that item # 8 be pulled out and voted upon separately.**

Mr. Cooke gave an overview of the 2018 Legislative program items 1-11 which was previously distributed to Committee members. Mr. Cooke said that there were also some additions to the original list since distribution.

- 1. Supporting the Governor's Proposal to Enact Legislation to Impose an Internet Fairness Conformity Tax.**
- 2. Supporting a Constitutional Amendment Banning New Unfunded State Mandates and Additional Measures to Provide Mandate Relief.**
- 3. Supporting Increased Voter Participation but Opposing the Proposal for Early Voting and Automatic Voter Registration through DMV.**
- 4. Urging the Governor to Delink the State Property Tax Cap and County Eligibility for Mandated Raise the Age Costs.**
- 5. Supporting Legislation to Promote the Full and Expanded Use of Video Conferencing for Court Appearances for Inmates Held at the County Jail.**
- 6. Supporting an Increase in the County Share of Department of Motor Vehicle's Revenues.**
- 7. Supporting the Passage of Laree's Law.**

**8. Home Rule Request by Saratoga County for the Enactment of a Local Law to Amend the Tax Law relating to Authorizing the County of Saratoga to Impose an Additional Mortgage Recording Tax.**

**9. Supporting Scaffolding Law Reform.**

**10. Urging the Governor to Restore Foster Care Block Grant Funding to 2016 Levels.**

**11. Urging the County's State Representatives to Assist in the Recovery of Allocated Grant Funds.**

The following three items were additions to the initial 11 items.

**12. Strongly Requesting that the NYS Assembly Kill Any Same as Bill to Senate Bill S3948 Related to Refunding Surplus Auction Funds to Former Owners.** Mr. Cooke said that this bill would require the County to notify former owners of any surplus funds received over and above the taxes and penalties owed after completion of property auction. Mr. Dorsey clarified that additional funds cannot be returned to the former owner, it would only require that the prior owner be put on notice if the County profits on the auction of a parcel. Mr. Dorsey said that not a lot of homes are sold during the auction process. Mr. Dorsey said that the County has a lot of expenses and several employees that work on the foreclosure and auction process.

**13. Urging the Governor to Extend the NYS Historic Commercial Properties Tax Credit and the NYS Historic Homeownership Rehabilitation Credit.** Mr. Veitch said that the current NYS historic tax credit expires in 2019. Mr. Veitch said that there have been several projects in the City of Saratoga Springs that have benefitted from the tax credit for the rehabilitation of historic properties downtown. Mr. Veitch said that it's the developers that gain from this credit and without it may not take on these projects.

**14. Urging the Governor to Maintain Current Tax Parity Formulas for Leveling the Playing Field Between VLGs and Casinos.** Mr. Cooke said that currently if the Racino's find that their business has been impacted as a result of casino operations, there are hold harmless agreements in place for the Casino to make the Racino whole for the damages. Currently being proposed in the executive budget, is to remove those hold harmless agreements. Mr. Cooke said that he has reached out to the Racino to provide exactly how this would impact them and he will also check if they would be taxed at a higher rate than the State licensed casinos.

Mr. Lucia expressed concern over the Governor's proposal that may make all state lands wholly exempt and the effect that may have on his town. Mr. Wright said that this cannot happen in Saratoga County as the county contains property in the Adirondack State Park, any state land is considered Forest Preserve. Mr. Wright said that he would also check with the Adirondack Association of Towns. Mr. Lucia said that he will also send the information he has to Mr. Cooke.

Ms. Gaston clarified with Mr. Cooke that the first item is tailored toward larger companies. Mr. Cooke said that it only pertains to companies that have over \$100M in annual sales.

Ms. Gaston questioned the fifth item and if there were any rights arguments regarding concerns over prisoners not being transferred to court if that was their preference. Mr. Veitch said that the argument is for cost and efficiency by expanding video arraignments. Currently inmates are being transported by Sheriff's cars to various justice courts in Saratoga County and those deputies could be doing law enforcement instead. As a County it's a cost savings, plus the technology is there to be able to do it.

**A motion was made by Mr. Veitch, seconded by Mr. Johnson, to approve supporting the Passage of Laree's Law. Unanimous. Ms. Gaston's vote is contingent on clarifying that medical personnel would be exempt.**

Ms. Gaston said that she would support this item only if there is an exception for Medical personnel. Ms. Gaston said that she would not like a medical provider to be held responsible for an overdose due to a prescribed medication. Mr. Veitch said that this item can be brought back to Law & Finance once the details are clarified.

**A motion was made by Mr. Johnson, seconded by Ms. Gaston, to approve Home Rule Request by Saratoga County for the Enactment of a Local Law to Amend the Tax Law relating to Authorizing the County of Saratoga to Impose an Additional Mortgage Recording Tax. Unanimous.**

Mr. Johnson said that he agrees with having this item as a standalone resolution as opposed to including with the 14 other items.

Mrs. Hayes-Masa distributed a handout and gave a brief update on Urging Statewide Consideration for Legislation Requiring Coroners to Refer all Deaths to Federally Designated Recovery Agencies for NYS Donor Registry Verification. Mrs. Hayes-Masa said that due to the 1998 NYS Routine Referral Legislation, all hospitals are required to report every death to a federally designated procurement organization, however Coroners are not required to refer deaths. Mrs. Hayes-Masa said that 91,000 residents of Saratoga County have registered as donors however if they do not die in a hospital, they will not be referred in general. There are currently 121,400 people waiting for an organ transplant in the United States. Mrs. Hayes-Masa said that it only takes a phone call to the OPO Triage Referral line and all information needed by the organization is already collected by the Coroner. Mrs. Hayes-Masa said that she will be speaking with Assemblyperson Walsh this week regarding this initiative. Mr. Szczepaniak confirmed with the committee that they fully support this item. Mr. Cooke said that he can include this item in an updated summary of items to be voted upon at a special meeting of the Legislative & Research Committee to be scheduled prior to Law & Finance.

Mr. Szczepaniak said that there will be an advocacy day in Albany which is coordinated by the County Administrators office. Details will be provided once the date has been set and supervisors are welcome to attend.

**On a motion made by Mr. Johnson, seconded by Ms. Gaston, the meeting was adjourned unanimously.**

Respectfully submitted,  
Therese Connolly  
Deputy Clerk of the Board