

Law and Finance Committee Minutes  
June 10, 2020 – 4:25 p.m.

Present: Chairman Daniel Pemrick; Committee members Ed Kinowski, Todd Kusnierz, Jonathan Schopf, Kevin Tollisen, Sandra Winney, Mo Wright; Supervisors Eric Connolly, Alan Grattidge, Jack Lawler, Matt Veitch, Dick Lucia, Bill Peck, Tara Gaston, Tom Wood, Benny Zlotnick, Darren O'Connor, Tom Richardson, Jon Schopf, Jean Raymond, Phil Barrett, Mike Smith, and Chairman of the Board Preston Allen; Spencer Hellwig, Chad Cooke, Brian O'Connor, Matt Rose County Administrator; Steve Dorsey, County Attorney; Keith Manz, Public Works; Marcy McNamara, Adam Kinowski Human Resources; Wes Carr, Youth Bureau; Rick Castle, Sheriff's Department; Tina Potter, DSS; Dr. Michael Prezioso, Mental Health; Sandi Cross, Office for the Aging; Jason Kemper, Planning; Dan Rourke, Sewer District; Anna Stanko, Real Property Tax; Cathi Duncan, Public Health; Scott Brackett, CSEA; Press.

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

**On a motion made by Mr. Kinowski, seconded by Mrs. Winney, the minutes of the May 19, 2020 meeting were approved unanimously.**

**On a motion made by Mr. Kinowski, seconded by Mr. Tollisen, the following resolutions with the exception of the last one were approved unanimously.**

**Health & Social Services**

- Authorizing a 3-year agreement and 1-year extension option with Tech Valley Hospitality Shuttle, LLC in the amount of \$36 per client per day round trip for transportation services to the Saratoga County Mental Health and Addiction Services Department or to Unlimited Potential, Inc.
- Authorize acceptance of a grant in the amount of \$522,499 from the Families First Coronavirus Response Act & Coronavirus Aid Relief and Economic Security Act and amend the budget in relation thereto.
- Authorize a 1-year renewal agreement with Berkshire Farms in the amount of \$100,608 for the provision of intensive family-based in-home case management services to at-risk youth.
- Authorizing the acceptance of a performance incentive award in the amount of \$41,914 from the New York State Department of Health and amending the budget in relation thereto.
- Authorizing the acceptance of additional state aid from the Healthy Families New York grant in the amount of \$70,493 and amending the budget in relation thereto.

Mr. Hellwig said, for the first item the funding is available within the budget. The second item's grant funding acceptance will be for the home delivered meals program in the Office for the Aging.

The County has incurred additional home delivered meals costs in excess of \$250,000, which are specifically related to the virus response efforts. The funding for the Berkshire Farms agreement is fully covered by the State's Raise the Age initiative for the placement of 16 and 17 year olds in secured detention facilities. The County's Public Health Department participated in two immunization programs last year and received the award for the timeliness and completeness of the reporting. The award funding will be used to purchase a vaccine refrigerator, scanners, promotional items and a replacement trailer for the Emergency Preparedness Team. The additional state aid received from the Healthy Families New York grant will be used to purchase furniture, computers, office supplies and travel expenses to support a new program.

**On a motion made by Mr. Kinowski, seconded by Mrs. Winney, the following resolutions was TABLED. Mr. Schopf voted NO to table.**

- Authorizing the purchase of a COVID-19 testing machine and an MOU with Saratoga Hospital.

Mr. Hellwig said Public Health has had preliminary discussions with the hospital about the purchase and operation of this testing machine at the hospital facility. Those details are still being sorted out. The plan would be for the County to purchase the testing machine and associated testing supplies in an amount up to \$55,100 and seek reimbursement from FEMA. Any portion of the cost not covered by FEMA reimbursement would be covered by Saratoga Hospital. The MOU with the hospital will detail not only financial obligations but also testing protocols for testing county residents. Mr. Hellwig said he has since found out, after the Committee met, that FEMA reimbursement will not be available for this equipment. That information became available this afternoon. The reason is the hospital could charge for these services and the county is not an authorized medical provider, which means the County would be responsible for the whole amount notwithstanding some other arrangement with Saratoga Hospital.

Mrs. Winney has questions about purchasing the machine, and would like more information before she makes any decision. This is a lot of money. The information received by all supervisors that Mrs. Duncan sent classified the machine as "not the best".

Mrs. Duncan provided quotes/reviews from people about the machine. She has to be perfectly clear in stating none of these machines are perfect. This machine is good. There were hiccups in the beginning but they have been working on the problems. Once it gets started and running it is a good machine from what she heard from a number of sources. The machine Saratoga Hospital has right now is not adequate and the supplies are hard to get.

Mr. Wright asked if there have been conversations with the hospital since this afternoon. They were willing to commit to 25% of the cost; and now that the County isn't able to get reimbursement, will the hospital pay anything. Mrs. Duncan said she didn't know as she didn't have time to call the hospital this afternoon. Mr. Wright said if the County's doesn't know if the hospital is willing to commit any funding towards the machine, he agrees with Supervisor Winney that there is not enough information to vote on this item. Mrs. Duncan said the hospital had every intention of billing for the tests. FEMA will not reimburse the County because of this. Mr. Wright

said he would like to see the MOU before voting. Mr. Pemrick asked Mrs. Duncan if she would talk with the hospital and come back with this proposal. Mrs. Duncan said she would do that.

Ms. Gaston asked what the cost of waiting on this purchase is. If the County does not put in a request for this machine now, as opposed to waiting for the next meeting, do we lose out on the ability to purchase the machine. She said it was her understanding from the manufacturer that if the machine is not purchased now, the County may not be able to purchase one for a period of time. Mrs. Duncan said there is a que for purchasing these machines. She was told the sooner the County put in for the machine the better. If the County put in for the machine now, it would be until August 31<sup>st</sup> that it would be up and running.

Mr. Kusnierz, as a member of the Health Committee, this item was not an agenda item but he did support moving it out of committee. The Director did agree to provide more information when this came before the Board. He has some of the information but not all of the information that he had asked for. He had asked how many municipalities have this machine and are utilizing them across the state. Mrs. Duncan apologized as she did not have that information with her but did have it. She said the salesperson she spoke with had 3 in state and 1 out of state. Mr. Kusnierz asked if there are any upstate counties using this machine. Mrs. Duncan said no. He asked if the \$55,100 was in her budget or if this was additional.

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

- Amending the County's Policies and Procedures Manual to repeal the Election Day Voting Policy.
- Amending the 2020 Compensation Schedule under Public Health Services.

Mr. Hellwig said new legislation indicates that if an employee has four consecutive hours either between the opening of the polls and the beginning of his or her work shift; or between the end of his or her work shift and the closing of the polls he or she shall be deemed as sufficient time outside his or her work hours to vote. The County's policy can be repealed as employees can vote outside of their normal work day. The Commissioner of Public Health position will be at a salary grade 24 with a base salary of \$132,000. Mrs. Duncan has indicated she will be retiring in July. The NYSDOH has required that her replacement must be a physician.

**On a motion made by Mr. Wright, seconded by Mrs. Winney, the following resolutions were approved by a vote of 6 to 1. Supervisor Kusnierz voted no on these two resolutions and the reason for this vote is the need to be uniform and fair across the spectrum for all employees not just one class or one union.**

- Amending the County's Policies and Procedures manual to add additional vacation carry over language to address staffing circumstances during the COVID-19 pandemic.
- Extending the use of Personal Time accrued due to the Covid-19 Pandemic to employees' 2021 accrual anniversary date.

Mr. Hellwig because of the reduced staff, the cancellation of travel plans and the inability of some employees to take vacation time during the pandemic the amendment to the policy allows employees the ability to carry over vacation time until their 2021 employment anniversary date. The same is true for the Personal Time use.

Mr. Kusnierz asked for clarification on which classes of employees will be impacted by this. Mr. Adam Kinowski said it would affect CSEA and management. Mr. Kusnierz asked if he said just CSEA employees. Mr. Kinowski said and management. Mr. Kusnierz asked if there has been any discussions with any other union. Mr. Kinowski said not that he was aware of.

Mr. Wright thought Mrs. McNamara could clarify Mr. Kusnierz's questions. Unions are not being treated differently. Corrections and the PBA both have anniversary dates of January 1<sup>st</sup> while CSEA anniversary date is their start date. Mrs. McNamara said this policy change was brought to their attention by CSEA. She did reach out to Public Safety and it is not an issue.

Mr. Kusnierz said he thought he just heard the answer the Deputy Union has not interacted on this subject. He asked if any representative of the County had discussions with any union other than CSEA on these policies. Mrs. McNamara said she has not had any conversations with public safety unions because they have not lost any vacation time as their anniversary dates are January 1<sup>st</sup>. Undersheriff Castle said he has had no requests for carry over and they are not entertained until late fall. If this becomes an issue it can be addressed later in the year.

Mr. Kusnierz thanked the Undersheriff for that answer. He received correspondence in the past hour that there has not been an answer for request for information from HR to the Deputies Union. Mrs. McNamara acknowledged receipt of emails from this union but has not responded to them.

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

- Authorizing the acceptance of an additional \$2,500 in STOP-DWI grant funding for Crackdown Patrols and Activities and amending the 2020 budget in relation thereto.
- Authorizing an agreement with ONSOLVE, LLC in the amount of \$67,696.44 for an initial term of 1-year and 257 days plus a renewal 1-year option in the amount of \$50,000 for CodeRED emergency notification services.
- Authorizing a 3-year agreement with Motorola Solutions in the amount of \$1,168,355.18 for a maintenance contract on the County's public safety radio infrastructure.
- Requesting review and change of APA policies related to new telecommunications towers in the Adirondack Park.

Mr. Hellwig said ONSOLVE was engaged as part of the County's pandemic response in order to notify residents of important COVID-19 information. This is eligible for 75% reimbursement under the emergency declaration. In 2019, the County upgraded the 800 MHz radio system, which

included a maintenance agreement. This agreement will be for a three-year term. The APA policy review that restrict the ability for towers and telecommunications equipment to be placed in the Adirondacks that could maximize and expand cell coverage.

Mr. Wright clarified the wording in the APA policy resolution that was presented at Public Safety. The wording was “not readily apparent”. The actual wording in the resolution will be “not readily discernable”.

**On a motion made by Mrs. Winney, seconded by Mr. Kinowski, the following resolutions were approved. It should be noted that Mr. Kusnierz abstained from the vote on the first item, as he wanted to be sure; there was no appearance of a conflict of interest of any sort.**

- Authorizing cancellation of 2019 and 2020 taxes on the airport hangar parcel in the Town of Milton that was acquired by Saratoga County in June 2019.
- Authorizing tax refund to Saratoga Hospital in the amount of \$4,322.25.

Mr. Hellwig said the taxes are being cancelled because the County is tax exempt. Resolution 86 of 2020 authorized a tax credit on Saratoga Hospital’s property in the Town of Malta due to a clerical error. A corrected tax bill was not generated in time due to the pandemic so the property owner made the payment.

**On a motion made by Mr. Kinowski, seconded by Mrs. Winney, the following resolutions were approved unanimously.**

- Authorizing implementation and funding for Clark Road over Snook Kill and West River Road over Snook Kill in the Town of Moreau.
- Authorizing an agreement with Creighton Manning in the amount of \$20,000 for construction inspection services related to the Clark Road Bridge project over Snook Kill in the Town of Moreau.
- Authorizing an agreement with Creighton Manning in the amount of \$20,000 for construction inspection services related to the West River Road Bridge project over Snook Kill in the Town of Moreau.
- Authorizing a contract with ING Civil in the amount of \$933,400 for the replacement of the North Shore Road bridge over Paul Creek in the Town of Day.

Mr. Hellwig said the cost to the County for the Snook Kill project will be \$16,905 and is included in the budget. The agreements with Creighton Manning will be at a cost of \$1,000 to the County and is included in the budget. The bridge in the Town of Day was destroyed by a storm last October. A temporary bridge was installed and now will be replaced with a permanent bridge.

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

- Authorizing a contract with Twinstare Inc. in the amount of \$20,545.47 for installation of the public address (PA) system in the new Public Safety Facility.
- Accepting FAA CARES grant funding in the amount \$69,000.
- Authorizing an Intermunicipal agreement with the Village of Ballston Spa to allow the temporary public use of the County parking lots on West High Street.

Mr. Hellwig said the County originally contracted with Twinstare under a minor contract. Additional services are now required which brings the contract amount over the minor contract allowance. The FAA CARES grant funding is provided to the County to offset the decline in revenues arising from diminished airport use. The agreement with Village of Ballston Spa will be for the use of County Parking Lots from 5pm to 11pm weekdays and weekends until November 1<sup>st</sup>. This request came from the Village Mayor to help support the expansion of the businesses into the street to maintain social distancing.

**On a motion made by Mr. Kinowski, seconded by Mr. Wright, the following resolutions were approved. Mr. Kusnierz and Mr. Schopf voted no on the last item.**

- Authorizing an amendment to the agreement with GPI in the amount of \$45,500 for additional engineering services related to improvements to the Zim Smith Trail.
- Authorizing an amendment to the agreement with Peter Luizzi and Brothers Construction in the amount of \$55,000.
- Authorizing application for and acceptance of Federal Funds for the Workforce Innovation And Opportunity Act Program for the 2020-2021 program year and amending the budget in relation thereto.
- Authorizing a contract with J. J. Young, LLC to provide administrative services for the Workforce Development Board.
- Authorizing an agreement with the Saratoga County Chamber of Commerce to fund a \$50,000 promotional campaign to support Saratoga County businesses during the reopening of the County's economy.

Mr. Hellwig said the additional services on the Zim Smith trail include inspection services and engineering. The Luizzi contract amendment will allow for paving, asphalt, grading, milling and striping work. The funding for the Workforce Innovation and Opportunity Act Program is down from last year and a budget amendment will need to be done to reduce the funding. The administrative services agreement with J. J. Young is needed because Counties cannot provide these services. The \$50,000 will be used by the Chamber for online media promotions as well as television advertising.

**On a motion made by Mr. Kinowski, seconded by Mrs. Winney, the following resolutions were approved unanimously.**

- Authorizing an agreement with Trinity Construction, Inc. in the amount of \$359,583 and CKW Electrical Services, Inc. in the amount of \$111,815 for construction services related to upgrades to the Sewer District's Knox Woods and Riverside pump stations.

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

Respectfully submitted,  
Pamela Wright  
Clerk of the Board