

Law and Finance Committee Minutes
July 15, 2020 – 4:00 p.m.

Present: Chairman Daniel Pemrick; Committee members Ed Kinowski, Todd Kusnierz, Jonathan Schopf, Kevin Tollisen, Sandra Winney, Mo Wright; Supervisors Phil Barrett, Eric Connolly, Tara Gaston, Alan Grattidge, Darren O'Connor, Bill Peck, Jean Raymond, Tom Richardson, Michael Smith, Matt Veitch, Tom Wood, Benny Zlotnick and Chairman of the Board Preston Allen; Spencer Hellwig, Chad Cooke, Brian O'Connor, Matthew Rose, County Administrator; Steve Dorsey, County Attorney; Chris Schall, Auditor; Pamela Wright, Clerk of the Board; Bill Fruci, Roger Schiera, Board of Elections; Jenniffer McCloskey, Employment & Training; Marcy McNamara, Adam Kinowski, Human Resources; Michael Prezioso, Mental Health & Addiction; Jason Kemper, Planning; Cathi Duncan, Public Health; Keith Manz, Public Works.

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

On a motion made by Mr. Wright, seconded by Mr. Kinowski, the minutes of the June 10, 2020 meeting were approved unanimously.

On a motion made by Mrs. Winney, seconded by Mr. Kinowski, the following resolution was approved unanimously.

HEALTH & SOCIAL SERVICES

- Authorize an agreement with Health Research, Inc. to accept New York State Department of Health Emergency Funding Coronavirus Response Grants in the amount of \$234,991, and amending the 2020 County budget in relation thereto.

Mr. Hellwig said that the funds will be used for a variety of activities and supplies including training, personal protective equipment, software, and department supplies.

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

HUMAN RESOURCES & INSURANCE

- Approving a revised Standard Work Day Reporting Resolution for Elected and Appointed County Officials for Retirement Purposes.
- Amending the 2020 Compensation Schedule to revise election inspector rates under the Board of Elections.
- Amending Resolution #84-2020 to adopt and define the measures required under the Families First Coronavirus Response Act (FFCRA) for paid leave for employees required to quarantine due to the Covid-19 pandemic.

For the first item, Mr. Hellwig said this will update changes for existing or newly elected county officials. This is done for retirement purposes. Mrs. Wright said this is for five Supervisors, two newly elected, two had their eight year calendar expire, and one is amending their time.

For the second item, the current schedule provides for separate day rates for primary and general elections. With the enactment of the Election Law in 2019, all elections are now conducted between 6am and 9pm, and as a result there is no need for a separate primary inspector rate. Rates of all elections will now be \$190/day. For the final item, this will delete resolved paragraphs 3 through 6.

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

PUBLIC SAFETY

- Authorizing the Chairman to enter into an amended agreement with the New York State Office of Indigent Legal Services for Year 2 services related to the statewide expansion of the Hurrell-Harring Settlement and amending the budget in relation thereto.
- Authorizing a renewal contract with Albany Medical Center to perform forensic autopsies at a cost of \$2,000 per autopsy in addition to x-ray and lab services costs.
- Authorize a contract with Cellco Partnership d/b/a Verizon Wireless in the amount of \$26,400 per year to co-locate wireless communications equipment on the County's radio monopole in the Town of Luzerne.

Mr. Hellwig said that for the first item, in 2019 the Board accepted the five year grant totaling just over \$7M which had year 1 details. This amended agreement now details the grant covered expenses for year 2, including additional positions and contract expenses in the Public Defender's Office. The budget amendment will recognize any unbudgeted grant funding for contractual expenses. For the second item, the renewal terms are the same as the expiring agreement. For the final item, as required in the agreement with the Town, they will be entitled to 50% of the revenue on an annual basis.

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

PUBLIC WORKS

- Approval for the Hudson River Valley Greenway to have Empire State Trail Signage installed by New York State on CR 86 (Upper Newtown Road) in the Town of Halfmoon.
- Authorizing implementation and funding for construction and construction inspection services for CR28 (South Glens Falls - Fort Edward Road) Pavement Preservation Project in the Town of Moreau for the amount of \$950,779.

- Authorizing Chairman to enter into amended agreement with Greenman-Pedersen, Inc. to include construction inspection for the CR 28 (South Glens Falls – Fort Edward Road) Pavement Preservation Project Part 1 in the Town of Moreau for the amount of \$64,293.
- Authorizing Chairman to enter into amended agreement with Greenman-Pedersen, Inc. to include construction inspection for the CR 28 (South Glens Falls – Fort Edward Road) Pavement Preservation Project Part 2 in the Town of Moreau for the amount of \$52,354.

For the first item, Mr. Hellwig said this is part of the State’s creation of a 750 mile trail from New York City to the Canadian Border. This will be available to pedestrians and cyclists. For the second item, the project will be reimbursed at 95% through State and Federal Marchiselli Aid. The third and fourth items are both authorizing amendments to consultant agreements. The reason there are two separate resolutions is that the project will be done in two parts. In both cases the funding has been included in the 2020 adopted budget.

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

BUILDINGS & GROUNDS

- Authorizing an Intermunicipal agreement with the City of Saratoga Springs to allow the temporary public use of the County parking lots on Woodlawn Avenue.
- Authorizing a lease renewal agreement effective August 1st 2020 with 2144 Doubleday Ave LLC for the Veterans Service Agency at a cost of \$24,284.64 with an annual increase of 3% for years 2 and 3.

For the first item, Mr. Hellwig said that this will allow City employees to use the Woodlawn Avenue parking lot. The City is in the final stages of finalizing the renovations at City Hall and the parking lot that is adjacent to City Hall is currently under construction. It is anticipated that the lot will be completed sometime in October.

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

ECONOMIC DEVELOPMENT

- Issuance of tax-exempt bonds by the Saratoga County Capital Resource Corporation to refinance Skidmore College's existing bonds as well as issue \$30 million in new funds to facilitate new construction phases for the Center for Integrated Sciences project.
- Accepting \$239,346 in Federal Aid for the TANF Summer Youth Employment Program (SYEP).

For the first item, Mr. Wright said that it was presented as a \$60M project, \$30M in refinance and \$30M in new funding. Mr. Schopf agreed and said that he had a chance to read the resolution after the Economic Development Committee meeting.

For the second item, Mr. Hellwig said that the funding is used to underwrite the cost associated with youth aged 14-20 that are working in various areas across the County.

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

LAW & FINANCE

- Authorize the acceptance of \$2,500 from the New York State Environmental Facilities Corporation as part of the septic system rehabilitation program, authorize payment to a recipient in the Town of Clifton Park, and amend the budget in relation thereto.
- Authorizing the acceptance of a grant from the NYS Board of Elections in the amount of \$128,891.50 for security improvements.
- Authorize a contract with Quadrant Biosciences for testing wastewater for the presence of COVID-19 at a cost of \$200 per sample with a not-to-exceed amount of \$90,000.
- Authorize an appropriation of fund balance in the amount of \$500,000 to cover the cost of emergency repairs and amend the budget in relation thereto.
- Authorize a contract with WCA Roofing and Sheetmetal Co., Inc. for work associated with roof replacement of the administration building in the amount of \$279,000, appropriating fund balance in the amount of \$279,000 and amending the budget in relation thereto.
- Authorize a contract with Bond, Schoeneck and King PLLC for bond counsel services related to Sewer District capital projects.
- Amend Resolution 170 of 2018 to increase the total Saratoga County cost of the joint biosolids facility project from \$24,250,000 to \$28,000,000.
- Amend Resolution 171 of 2018 to increase the amount of the bond necessary for the joint biosolids facility from \$24,250,000 to \$28,000,000.

For the first item, Mr. Hellwig said that the funding will be used to reimburse a Clifton Park couple for improvements to their system. For the second item, this is for security implementation measures. A security assessment of the County Boards of Elections across the State was completed and the report resulted in an award in this amount for Saratoga County to implement security features to protect against voter fraud and potential vulnerabilities. For the third item, wastewater testing is growing in popularity as a way to monitor communities for increasing viral loads and to assist the Public Health Departments with additional tools to help contain the spread. For the fourth item, the district experienced a pipe failure on Route 236 in the Town of

Halfmoon due to a Hydrogen Sulfide erosion which required emergency repair. This appropriation will cover the cost of the repair. For the fifth item, Mr. Hellwig said that the project was originally scheduled to be undertaken in 2021; however, due to the ongoing deterioration of the existing roof, it was moved ahead. For the sixth item, the projects that will be bonded include the Regional Biosolids Facility, the Interceptor relining project and the ammonia treatment project at the wastewater treatment plant. Total estimated cost for Bond Counsel will be \$65K which will be paid out of the bond proceeds. For the seventh item, the total project cost will increase from \$48.5M to \$56M and the increase is due to the addition of a thermal dryer into the project design which will aid in decreasing the volume of solids that require disposal after the anaerobic digestion process. For the final item, this represents the County's 50% of the total project cost.

Mr. Hellwig said that there is one item under other business which is consideration to authorize the purchase of 70K masks to support the personal protective equipment needs of businesses and communities in the County that are struggling in obtaining and paying for those essential items. Mr. Hellwig said that Supervisors Kinowski and Veitch have been involved in doing work to gather information on not only pricing but demand across the County. Mr. Kinowski said that he drafted an email and sent it out to the Advisory Group indicating the following: The County's Reopening Advisory Group discussed the possibility of purchasing a large quantity of disposable masks. The masks can be used for distribution to area businesses to pass onto customers. This process would be much the same as the County's recent distribution of State and Federal mask stockpiles to area Towns and Cities through the County's Emergency Management office. Our Advisory Group business leaders, the Chamber representative and most Supervisors felt our Emergency Management office had the obligation to have these assets on hand for multiple reasons, particularly to aid during a pandemic response. On behalf of the Advisory Group, Mr. Kinowski is recommending to the Board Chair and Administration to consider the request. With their concurrence this matter could be brought to the Law & Finance Committee for further consideration. Mr. Kinowski submits the mask recommendation is no less important than any other emergency asset we may have available to meet emergency needs. Obviously, this is our first pandemic response and it may be with us a very long time. Please consider. Please also note the CRC and the IDA may chip in to help purchase reasonable quantities, as a matter of discussion.

Mr. Kinowski said that he and his secretary have been researching on the internet and exhausted pages and pages of contacts and the best possible, reputable firm on the internet, with whom he has spoken with, is based out of Delaware. They have a number of companies throughout the United States and have a large stockpile of PPE. Mr. Kinowski said that he just placed an order with his Town and the order is ready to fill overnight. The price, depending on quantity was dropped from 40 cents to 30 cents a piece for disposable masks. Mr. Kinowski said that he will forward the information to all Supervisors, they have a full list of PPE and the pricing is phenomenal. Mr. Kinowski expressed concern over waiting too long as he has seen the escalation of prices in masks in the past. Mr. Kinowski said that this is a minor contract type deal. Mr. Kinowski said that if Supervisors do not want to entertain it now, they could entertain it next week at the Board meeting. Ms. Gaston questioned the monetary amount of the full purchase. 70K masks at 30 cents is over a minor contract. Ms. Gaston said that she totally supports the purchase but would also like it to be more specific than 70K masks at no particular written cost. Even if the purchase was capped at a certain dollar amount, for example \$25K, that

would be her preference, as the price could change on a daily basis and if the price jumps to \$1/mask, \$70K is a lot more than \$21K. Ms. Gaston also asked Mr. Kinowski if any local companies were contacted to see if they were willing to match. Mr. Kinowski said that he can provide a list if necessary, they spent days doing it. The list is a little over 15 pages of all of the entities on the internet. Mr. Kinowski said that there was no local company that matched these prices.

Mr. Hellwig said that the question is if there is a resolution that can come out of Law & Finance that will place an item on the agenda. Mr. Kinowski agreed, but also questioned if Administration under Emergency Management could be authorized to spend funds for the purchase of PPE, and questioned if it was necessary to go to the full Board. Mr. Schopf said that he chairs the IDA in Clifton Park and a few months ago they took a portion of their fund balance to purchase 85K masks for distribution to Clifton Park businesses. This was a direct donation through the Town using the IDA's fund balance which is normally restrictive, their Counsel approved this as a permissible use of the fund. Mr. Schopf said that he does not know what the County's IDA balance is but they certainly could purchase the masks and distribute through the County as a direct donation. Mr. Schopf added that \$1M was already allocated for PPE and other COVID expenses and the cost should be applied from that previously allocated fund if a direct purchase was decided. Mr. Veitch said that they have approached the IDA to see if they are interested in helping out. Mr. Veitch said that he would like to look at this as a 3 way match, the County, IDA and CRC. Mr. Veitch said that he serves on the CRC board and has already approached the Chair to see if they would be willing to entertain this. Mr. Veitch said that he believes this is something that we should do but confirmed if the cost is over \$15K, a board resolution is needed. Mr. Dorsey agreed. Mr. Schopf said that a special meeting of the IDA could be held to approve it. Mr. Pemrick suggested adding a resolution at the Board meeting next week if it is all prepared properly prior to the meeting. Mr. Kinowski said if there was a willingness, the agreement could be capped at \$15K now and be able to purchase the PPE now without a Board resolution, and the other organizations spend an equal matching amount. Mr. Kinowski expressed concern over a potential price raise next week. Mr. Pemrick said that this item should be tabled, and if an item can be prepared, they can bring it to the full Board on Tuesday. Mr. Kinowski said that he will pursue to keep the pricing down. Mr. Kinowski said that if anyone would like to engage any companies to match pricing, please do so. Mr. Kinowski said that he spoke with Anita Daly today and she will bring the proposal up with other CRC Board members for consideration. Mr. Kinowski said that he or Mr. Veitch will reach out to the IDA to see if they can pursue it right away.

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

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board