

Law and Finance Committee Minutes  
December 9, 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, John Lant, Jack Lawler, Darren O'Connor, Bill Peck, Tom Richardson, Mike Smith, Matt Veitch, Tom Wood, Benny Zlotnick and Chairman of the Board Preston Allen; Spencer Hellwig, Chad Cooke, Matt Rose, County Administrator; Steve Dorsey, Hugh Burke, County Attorney; Karen Heggen, District Attorney; Bill Fruci, Roger Schiera, Board of Elections; Marcy McNamara, Adam Kinowski, Stephanie Monaco, Wendy Tennant, Human Resources; Eileen Bennett, Nick Mauro, Information Technology; Michael Prezioso, Mental Health & Addiction; Daniel Kuhles, Cathy Medick, Public Health; Tom Speziale, Public Works; Dan Rourke, Sewer District; Andrew Jarosh, Treasurer; Scott Brackett, CSEA.

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

**On a motion made by Mr. Kinowski, seconded by Mr. Kusnierz, the minutes of the two Law & Finance Meetings of November 12, 2020 were approved unanimously.**

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

**HEALTH & SOCIAL SERVICES**

- Authorizing major contracts with Frances Kelly, Jacob Myers and Amy Barnes for contact tracing services in amounts not to exceed \$78,000.
- Amending Resolution 202 of 2020 to revise the source of grant funds from NYS Department of Health for the immunizations program.
- Authorizing the Chairman to execute cooperative agreements with local school districts and Dr. Desmond Delgiacco authorizing the school districts to use Dr. Delgiacco's Limited Service Laboratory Registration to conduct Covid-19 testing of school students and staff on school premises.

Mr. Hellwig said that for the first item, the contracts are for a 1 year term up to 60 hours per week at a rate of \$25 per hour. The costs associated with the contracts will be covered by a State grant. For the second item, Mr. Hellwig said that the original resolution included provisions for amending the County's funding agreement with the DOH through an Immunization Action Grant Program. In November, the DOH established a separate funding stream entitled LHD support for Flu and Covid-19 response. This resolution will update the funding stream and authorize the County to receive the funds from the new entity. For the final item, Mr. Hellwig said that this will be going to the special Board meeting today and is part of the NYS DOH requirements for school operating in Covid zones. Mr. Kusnierz asked for more information regarding the first

resolution, for what the resolved will state. Mr. Hellwig said that these are all individuals that are currently under minor contracts, these contracts are reaching the maximum amount. The resolved will essentially authorize them to be paid \$25 per hour up to 60 hours per week. Mr. Kusnierz confirmed that we are not increasing the number of contact tracers, just extending use of the ones we have. Mr. Hellwig said yes, these three individuals are already on board.

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

### **HUMAN RESOURCES & INSURANCE**

- Adopting the 2021 Saratoga County Compensation Schedule and providing for the abolition and creation of certain positions.
- Setting 2021 Salaries for Certain Temporary and Part-Time Employees to include an increase for a 2% COLA.
- Setting 2021 Salaries for Management and Confidential Employees to include an increase for a 2% COLA.
- Introducing a local law to amend the 2021 County Compensation Schedule to provide a cost-of-living increase for certain County Officials, and setting a date for a public hearing thereon.
- Authorize a 2-year renewal agreement with CorVel Corporation in the amount of \$340,790 to provide Administrative Services for the County's Workers' Compensation Plan.
- Authorizing a \$50 stipend for Early Voting Inspectors to cover additional hours worked beyond the normal eight hour workday.
- Authorize the appointment of Chad Cooke to the position of Commissioner of Public Works.
- Authorize the temporary appointment of Hugh Burke to the position of Acting County Attorney.
- Amending the 2021 Compensation Schedule under Animal Shelter and amending the 2021 County Budget in relation thereto.

Mr. Hellwig said that the first four items will all be considered at today's special Board meeting as part of the package of resolutions to adopt the 2021 budget. Adoption of the 2021 Compensation Schedule is necessary to approve the position changes approved during the budget process, as well as changes that will occur as a result of COLA adjustments contained in our collective bargaining agreements. The second item will extend the terms of the CSEA agreement to temporary and part time employees not covered by any collective bargaining

agreement. For the third item, this will extend the terms of the CSEA agreement to officers, officials, and management confidential employees that are excluded from general bargaining agreement. For the fourth item, the local law will extend the terms of the CSEA agreement for any officers that are currently in a term. This group can only receive a COLA through the adoption of a local law. This resolution will initiate the process and set January 13<sup>th</sup>, 2021 at 4:25pm as the date and time for the public hearing.

For the sixth item, this will authorize a \$50 per day stipend for the Election Inspectors who were required to work additional hours during the 2020 early voting cycle, due to the exceptionally large voter turnout. The cost of this additional compensation is approximately \$17K which is an estimate provided by the Department Heads in the Elections Department. They have calculated approximately 340 additional inspector days at \$50 per shift. For the seventh item, the appointment will be at a salary grade 23 step 7A effective January 1, 2021 to fill the vacated term through December 31<sup>st</sup>, 2022. For the eighth item, the effective date will be January 1, 2021. The final resolution will also be going to the special meeting this afternoon for the Budget adoption. The amendment will add one Shelter Aide.

Mr. Kusnierz asked Mr. Hellwig what the resolution regarding the Acting County Attorney specifically reads as. Mr. Hellwig said that Mr. Burke will be acting as the interim Attorney until such time as the Board appoints a permanent replacement. Mr. Kusnierz said that he believes the compensation of County officers was fixed at the Organizational Meeting, and asked if he would receive the current pay for the County Attorney. Mr. Hellwig deferred to Mrs. McNamara. Mrs. McNamara said no, the rate would be \$79.76 per hour and he is currently being paid \$67.32, so it's an increase of approximately \$1,900 per month. Mr. Schopf asked what the County Attorney rate is now. Ms. McNamara asked if it was the base pay of the County Attorney or what... Mr. Schopf asked what he is taking home in his paycheck right now. Mr. Peck said that he believes when they did this in HR the \$79 rate is of the current County Attorney. Mr. Peck said that the question was asked whether if at the January organizational meeting, when compensation is raised, what the pay is. Actually after the public hearing on the compensation hearing, as the County Attorney is one of the positions he believes that needs to be approved separately. Mr. Peck asked if this answered Mr. Kusnierz's question. Mr. Kusnierz said maybe, he is still confused. Mr. Kusnierz asked, more directly, if the compensation will be equal to the current compensation of the County Attorney. Mrs. McNamara said not the current salary, the base pay of the County Attorney. Mr. Kusnierz asked what the reasoning was behind that. Mrs. McNamara said that they usually go to the base pay if it's an increase in their salary, and there is a policy regarding this. Mrs. McNamara said that he is making \$67 now, he will make approximately \$79. Mrs. McNamara said if you want him to go up in steps, she believes Steve Dorsey is currently at a step 7 or 8 because of his longevity in the position, you could push the salary out step wise. Mr. Kusnierz said that they have been part of discussions where there has been similar moves in other positions for Departments, and it is his understanding that we, as a Board, went out of our way to adjust the compensation, temporarily or permanently, so that the compensation was equal to the individual that was leaving or had left that spot and asked how this would be different. Mrs. McNamara said that there is a policy and procedure in place. In this scenario, Hugh Burke will go into Steve Dorsey's position in a rate where he is not losing money, to where it can be adjusted in the compensation schedule. This is what the policy states. Mrs. McNamara said that the County Attorney salary can be set for any rate the Board would like, but to stay consistent, this is what was done. Mrs. Winney said that when Mr. Manz left, the interim was brought up to his outgoing salary and asked why this is different. Mr. Schopf

said that he believes the Health Director also. Mrs. McNamara said that the Public Works position was a \$12K difference and this is a \$40K jump. Ms. Monaco said that in the Compensation Schedule, the Public Works Commissioner is a Grade 23 and the Deputy is a Grade 21. The base salaries differ approximately \$15K. The difference in the base salaries of the County Attorney and First Assistant is approximately \$40K. Plus, the Deputy Commissioner of Public Works was further out in steps due to his longevity, so to make him whole, base would not have worked. This follows the Salary Grade and Promotional Policy in Chapter 3 of the Policies and Procedure manual. Mrs. Winney asked what the difference between Tom and Keith was, what was Tom brought up to? Mr. Schopf said that it is his understanding in the past for that position, as well as when Cathy Medick was covering for the retirement of Cathi Duncan, we elevated their salaries to equal what the vacated position's rate was at that time, and it seems from the explanation that he just got on Public Works, was that the steps were compressed based upon some theory that the gap in actual wages is too far. Mr. Schopf said that he does not care what the wage gap is, he wants the equity for the job that's being performed. Mrs. McNamara said that it truly depends on how long the employee has been here to determine where they fall in the comp. schedule. Mr. Schopf asked, did we or did we not, in these two cases bring the person to the same level of dollar compensation. Mrs. McNamara said that she would need to run the actual wage to see where they started and why they were placed exactly where they were. She does not have the notes on all of the positions, but she can certainly get that and the policy to Mr. Schopf. Mr. Kusnierz asked if the Board of Supervisors sets the salary for the County Attorney. Mr. Hellwig said that the Board adopts the Compensation Schedule. Mr. Kusnierz asked if as part of the resolution the salary is set for the County Attorney. Mrs. McNamara said that the County Attorney is listed in the Compensation schedule. Mr. Kusnierz said, so we set it and the Board votes on the Compensation schedule. Mr. Pemrick said yes. Ms. Gaston asked if there was a term attached with the acting County Attorney resolution, or if it is similar to the other acting positions in that they would serve until a permanent position comes in. Mr. Dorsey said that the resolution provides that he would be acting County Attorney until a successor is appointed.

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

### **PUBLIC SAFETY**

- Authorizing a 5-year agreement with Axon Enterprises Inc. in the amount of \$127,440 for storage of digital information relative to Taser testing and storage and dissemination of digital evidence files.
- Authorizing a 2021 contract for police services with the Town of Clifton Park.
- Authorizing the acceptance of the Supervision and Treatment Services for Juveniles Program (STSJP) grant from the New York State Office of Children and Family Services (OCFS) in an amount up to \$59,992 and to authorize the associated specialized provider contracts accordingly for the 2021 fiscal year.

- Authorizing the acceptance of grant funds in the amount of \$22,033 for the Ignition Interlock Device (IID) Monitoring Program, which will partially reimburse the County for the Probation's Departments efforts in monitoring offenders with said IID devices, and includes a grant period of October 1, 2020 to September 30, 2021.
- Authorizing a 5-year agreement with Spectrum Enterprises in the amount of \$560 per month and a one-time installation fee of \$500 for a fiber optic connection between Edinburg and 6010 County Farm Road in Ballston Spa.
- Authorizing a 1 year agreement with Mission Critical Partners in the amount of \$63,200 for maintenance, technical support services, and on-site computer aided dispatch (CAD) 911 network support for the Capital Region CAD/E911 system.
- Authorizing a rate increase from \$100 to \$225 per case for Deputy Coroners.

Mr. Hellwig said that for the first item, the Sheriff's Department employs Tasers as a form of less than lethal force, and Axon provides the digital platform for storing the information as it relates. For the second item, the contract amount is in the amount of \$584,519.96. The services include two patrols from 8-4pm and two patrols from 4pm to midnight, 7 days per week. The third item is a housekeeping item from Probation, this will fund a portion of the Supervision and Treatment Services for Juveniles Program which will provide alternatives to secure detention. The fourth item is also a housekeeping item from Probation. For the fifth item, the connection will replace an existing outdated copper line connection and the monthly cost will be reduced from \$1,040 to \$560. For the sixth item, funds are included in the 2021 tentative budget. For the final item, in 2015 the Board authorized the addition of Deputy Coroners and established the per case rate of \$100, the Deputies are only compensated when called to take on a case, and in most cases, these calls require hours of effort including meeting with the families and attending the autopsies. They are not given any additional funds for being on call. In recognition of that effort, the Coroners are requesting that the rate be increased. This will also require a budget amendment in 2021 of \$30K based on the projected number of calls.

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

### **REAL PROPERTY TAX**

- Approving and confirming the Auction Sale of County Owned Lands acquired for unpaid taxes.

Mr. Hellwig said that 28 properties were sold at the auction for a total of \$919,147.50. That represents a profit of a little over \$746K over the amount of the foreclosed taxes.

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

## **PUBLIC WORKS**

- Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds for the Design and Right-of-Way Incidentals for the replacement of the Coons Crossing Road Bridge over Anthony Kill in the Town of Halfmoon for the amount of \$192,079.

Mr. Hellwig said that the County share is 5% or \$9,604, the rest is state and federal.

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

## **BUILDINGS & GROUNDS**

- Approving a Local Law identified as A Local Law Establishing Rules and Regulations covering Parking on County owned and County Leased Property, and repealing Local Law No. 6 of 1978.

Mr. Hellwig said that there is a public hearing scheduled for this item today, so far no comments have been received on this.

**On a motion made by Mr. Wright, seconded by Mr. Kinowski, the following resolutions were approved. Mr. Schopf was opposed. Mr. Tollisen was opposed to the second item.**

## **ECONOMIC DEVELOPMENT**

- Forgiving \$225,000 overpayment made to the Saratoga County Prosperity Partnership.
- Amending Resolution 252-2020 to establish 2020 funding level for the Saratoga County Prosperity Partnership at the greater of the amount set by Tax Law Section 1202-g(9) or \$450,000 inclusive of the amount set by Tax Law Section 1202-g(9).
- Authorizing a logging revenue agreement with Prentiss and Carlisle Management Company for a timber harvest of County-owned parcels in the Town of Northumberland.

The first two items were initially listed on the agenda as one item. Mr. Dorsey noted that these actually came from Economic Development as two items. Mr. Dorsey said that for the second item, Resolution 252-2020 is scheduled to go before the Board today and authorizes the 2021 agreements for all the various agencies that the County provides funding to. On that list is the Prosperity Partnership. The Resolution in today's Board packet is that the Partnership's funding is to be in the amount of half the occupancy tax, as it was this year. The Resolution which will go before the Board on Tuesday, will amend resolution 252 to change their funding to the greater of half the occupancy tax or \$450K inclusive of the occupancy tax. The Board will vote today on Resolution 252 but then next Tuesday there will be a separate resolution to change what came

out of the Economic Development committee this afternoon. Mr. Pemrick thanked Mr. Dorsey for the clarification. For the final item, Prentiss and Carlisle is the high bidder at \$163,580.

**On a motion made by Mr. Kinowski, seconded by Mr. Tollisen, the following resolutions were approved. Mr. Kusnierz and Mr. Schopf were opposed.**

### **LAW & FINANCE**

- Amending the 2021 Tentative Budget.
- Adopting the 2021-2025 Saratoga County Capital Plan.
- Authorizing 2021 contracts with various agencies.
- Authorization to levy amounts payable to the County Treasurer and the Town Supervisors.
- Establish January 4, 2021 at 4 pm in the Board of Supervisors' Chambers as the date, time and place of the 2021 Organizational meeting of the Board of Supervisors.
- Confirm the 2021 Scale of Charges for the Saratoga County Sewer District No.1.

Mr. Hellwig said that the first three items will be going to the special meeting this afternoon. The amendments to the tentative budget which were what came out of the Law & Finance budget hearing and the Board budget workshop. The Capital plan was approved by the Long Range Capital Committee back in September and was included in the tentative budget.

For the final item, the Sewer District approved the scale on November 12<sup>th</sup> following a public hearing, and this Board's approval is required for the increase.

Ms. Gaston said that she recognizes that she does not sit on this committee but would like the committee to consider amending resolution 111 of 2020, and if any of the committee members are willing to move it forward. It authorized the Administrator to enter into minor contracts with up to 50 contact tracers and she would respectfully request that this committee move so that it can be amended to up to 75 contact tracers in addition to 5 tracing supervisors, the salary of the Supervisors would need to be determined by Public Health and HR as necessary. Ms. Gaston said that she believes Public Health is working very diligently to hire more contract tracers; given the increase, Ms. Gaston would like to make sure they have this additional room and would not have to wait until the end of January to come back to the Board if more were required. Ms. Gaston said that it does not mean that they have to, but this allows them to have the leeway to use their professional judgement and have a contact tracer if they need to add, as well as making sure that there are enough individuals to supervise them, because it is her understanding that Public Health is quite busy, and this would assist them in that. Ms. Gaston said that if there was a Supervisor that was willing to move it forward she would appreciate it.

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

- Amending Resolution 111 of 2020 to authorize contracts with an additional 25 contact tracers and 5 Supervising contact tracers.

Mr. Schopf said that he would strongly urge that if it passes, that the Board provide whatever assistance and resources as necessary to both Public Health as well as to HR in implementing that and getting this program off the ground. Mr. Schopf said that he believes our contact tracers are in need of some relief. Mr. Kinowski questioned if when this was first brought up, out of the State, that the State would fund up to 75, and for whatever reason, it was left at 50 because Cathi didn't see a need at that time. Mr. Kinowski said that he does not mind moving it up to 75 but questioned if the funding comes with it from the State. Dr. Kuhles said that the County would be able to draw from a grant from the State Health Department for Covid Response activities. Mr. Wright asked Dr. Kuhles his opinion on this item. Dr. Kuhles said that the estimates by Johns Hopkins and the Association of State and Territorial Health Officials, the estimate is about 30 contact tracers per 100K population, so that puts us around 75. Mr. Schopf asked Dr. Kuhles, with the understanding that the Board only meets monthly, if he believes more than 75 will be needed before the end of January. Dr. Kuhles said that he hopes not. As he understands it, it would give them the flexibility to draw on this. He believes right now there is a significant level of fatigue and burn out for the employees, and the contact tracers, and the ability to draw on other resources that don't belong to us, if you will, becomes challenging. Like the surge we are seeing post-Thanksgiving, when they try to draw on these, all of the counties in the state are asking for that same limited state resource. This would give the County the flexibility to take care of Saratoga with our own resource if we need to go to that number. Ms. Gaston asked when the original number was proposed, NYS was also indicating that they would be able to provide more. Ms. Medick said this is correct, Ms. Duncan had proposed that. Now when we have asked for more of those resources, everyone is in the surge so there are very few to go around. Mr. Schopf asked how much of the \$1M that was allocated at the beginning of the pandemic was remaining. Mr. Hellwig said \$800K. Mrs. Winney said that for the first time she can agree with Ms. Gaston, that tracers need to be increased. Mrs. Winney said that her granddaughter and the entire Broadalbin school has been closed, they told her to be confined, she has no symptoms, but she has not been traced yet. No one has called her from the Department of Health yet, the whole family does not know what to do. She agrees that more tracers are needed, even with a vaccine on the horizon. Ms. Gaston said that she appreciates Mrs. Winney's support.

Mrs. McNamara said that her staff was able to look at the numbers regarding interim County Attorney position. Ms. Medick's salary increased by approximately \$12/hour, Mr. Speziale's salary increased from approximately \$65 to \$76 per hour. Mr. Burke's suggested increase is from \$67 to \$79. They are all approximately a \$12/hour increase. Mr. Kinowski confirmed that it was all following the compensation schedule and had to do with how many years of service they had, what step they were on, and the crossover from an appointment to a higher position. Mr. Kinowski said that you do not want to have them lower, so you raise them up to something that would give them a raise.

Mrs. McNamara said that this is the first she knew that there were conversations going on. Employees in this situation, if they are not happy with the hourly rate, can always request, and the HR Director would bring to the Board that they are looking to do it for X amount of dollars, which in turn can be approved by the Board, either X amount of dollars or a certain step. Mrs.

McNamara said that she has not had a conversation with the Acting County Attorney requesting additional funds, but can bring it to the Board for approval.

Mr. Schopf said that he understands the prior compensation increases, but with those two prior positions, with the incoming acting person, that they end up making the same dollar amount with the person leaving the position. Mr. Peck said that in the case of the Public Works Commissioner, Mr. Speziale's longevity at the county put his steps at a salary that was above the base pay of the Public Works Commissioner, so they had to raise him up to the salary of the outgoing Commissioner. Under the policy, if a lateral move is being made which is considered a promotion, they make sure they are making as much as or more. Mr. Peck said that he brings up the Public Works Commissioner because it was Mr. Speziale's longevity that put him that far out on the steps, that he was beyond what the base of a new Commissioner would be.

Mr. Kusnierz said that as we know the positivity rate is increasing dramatically, not only in the county but in the state, and asked Dr. Kuhles if there is anything his department requires, any kind of assistance, where we can further assist our residents in the County at this time. Dr. Kuhles said that at this time, the ability to draw on more contact tracers, once they are onboard and trained, will make an impact on the service that Public Health can provide to our residents. Being able to access more data that's kept within the State Health Department about our localities and towns, anything that can be done so that we can be more proactive with our own towns and communities, would be helpful for battling Covid. Mr. Kusnierz asked that if anything changes, at any point in time, for Dr. Kuhles to not hesitate to reach out to any of the Supervisors to meet his needs.

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

Respectfully submitted,  
Therese Connolly  
Deputy Clerk of the Board