

Law and Finance Committee Minutes
April 14, 2021 – 4:00 p.m.

Present: Chairman Jonathan Schopf; Committee members Phil Barrett, Tara Gaston, Kevin Tollisen, Matthew Veitch, Sandra Winney, Tom Wood; Supervisors Preston Allen, Eric Connolly, Ed Kinowski, John Lant, Darren O'Connor, Bill Peck, Dan Pemrick, Jean Raymond, Tom Richardson, Mo Wright, Benny Zlotnick and Chairman of the Board Theodore Kusnierz; Steve Bulger, Brian O'Connor, Matt Rose, Audra Hedden County Administrator; Michael Hartnett, Michelle Granger, County Attorney; Anna Stanko, Real Property Tax; Craig Hayner, County Clerk; Marcy McNamara, Human Resources, Eileen Bennett, Information Technology; Karen Heggen, District Attorney; Michael Zurlo, Sheriff; J. Wes Carr, Rebecca Robarge, Youth Bureau; Penny Heritage, Animal Shelter; Daniel Kuhles, Public Health; Michael Prezioso, Mental Health & Addiction; Chad Cooke, Public Works; Tina Potter, Pat Maxwell, Social Services; Sandi Cross, Office for the Aging; Jason Kemper, Planning; Dan Rourke, Sewer District; Scott Brackett, CSEA; Dominic Gallo, Cool Insurance; Lindsey Connors, City of Saratoga Springs.

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

On a motion made by Mr. Wood, seconded by Mr. Veitch, the minutes of the March 10, 2021 meeting were approved unanimously.

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

REAL PROPERTY TAX

- Authorizing a correction to the tax bill for parcel 248.-1-100 in the Town of Ballston.

BUDGET IMPACT: None.

Mr. Bulger said that his parcel was assessed with an improvement that was not in existence as of the taxable status date which was March 1, 2020. The taxable assessed value was therefore reduced from \$280,000 to \$103,000, and a new tax bill will be generated

- Authorizing the cancelation of delinquent, current, and prospective taxes on tax parcels 266.8-1-41; 266.8-1-98.1; & 266.8-2-98 in the Town of Halfmoon.

BUDGET IMPACT: None.

These tax parcels were set up in 2003 and 2005 when subdivision maps were filed indicating these strips of land were "lands to be conveyed to the County of Saratoga". The parcels were not conveyed and became tax delinquent. The County took title by tax foreclosure deed in 2015.

- Authorizing the acceptance of tender offers from two separate parcels in the Town of Malta for a total of \$44,830.07.

BUDGET IMPACT: None.

The first parcel 216.-1-25 is for \$35,562.93, and the second parcel 216.-1-25.2 is for \$9,267.14. This includes tax years 2017 through 2020 for both parcels. These parcels were originally on the

foreclosure list, removed from the list and then sold. They will be placed back on the tax roll as taxable parcels.

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

HUMAN RESOURCES & INSURANCE

- Authorizing the renewal of the third party employer excess liability insurance coverage for workers compensation for the County's Workers' Compensation Plan.

BUDGET IMPACT: None. Funds for the renewal are included in the 2021 budget.

Mr. Bulger said this policy protects the County against any third party lawsuits in the event an employee has sustained a severe injury. The policy is through Capital Indemnity Corporation of Madison WI, for an annual premium of \$23,868. This is an increase of \$1,047 over last year's premium. The term will run from 4/15/21 to 4/15/22.

- Authorizing the County's Insurance Coverages through May 8, 2022.

BUDGET IMPACT: None.

The County's insurance broker Cool Insurance, and Marshall and Sterling solicited bids for coverages and have recommended the renewals. The expected total renewal costs are \$983,393, which includes a \$20K loss fund. The resolution will also include the County's annual blanket undertaking that provides insurance coverage for money and property handled by officers and employees. A budget transfer from the contingency account for \$76,643 will offset the shortfall in the 2021 budget allocated. The premium increases in the Public Health, Mental Health and Cybersecurity coverages were due to extreme market volatility not seen in previous years created by the COVID-19 pandemic.

- Authorizing amendments to the Compensation Schedule under the County Treasurer and County Attorney.

BUDGET IMPACT: None.

This will reclassify one Foreclosure Supervisor to one Foreclosure Specialist under the County Treasurer, create one Paralegal Specialist under the County Treasurer, and abolish one Legal Assistant Real Estate under the County Attorney's Department. These reclassifications will provide the County with a total savings of \$40,372.

- Authorizing the creation of a Petty Cash Policy.

BUDGET IMPACT: None.

This new policy will incorporate an approval request process and audit process, as well as the implementation of a petty cash bank account and debit card process.

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

HEALTH & HUMAN SERVICES

- Authorizing an inter-municipal agreement with Warren County for the oversight and monitoring of Homebased Crisis Services on behalf of Saratoga County.

BUDGET IMPACT: None.

Mr. Bulger said that Saratoga County will be authorizing Warren County, through the Office of Community Services for Warren and Washington Counties, to act on behalf of all three counties in administering the monies received from New York State for the purpose of providing home based crisis services.

- Authorizing the acceptance of increases in State aid in the amount of \$11,400 from the New York State Office of Mental Health.

BUDGET IMPACT: None. 100% State Aid.

The New York State Office of Mental Health State indicated effective January 2, 2021 a \$200 per bed stipend was added to 57 supported housing beds. 6 beds in Rehabilitation Support Services for \$1,200 and 51 beds in Transitional Services Association Inc. for \$10,200.

- Authorizing the acceptance of an additional \$91,165 from the New York State Office of Mental Health for the Veteran's Peer to Peer program.

BUDGET IMPACT: None. 100% State Aid.

This grant covers the period of 4/1/20 to 12/31/22. NYS OMH State aid letter stated that funding in the amount of \$185,000 was released for the 2020/2021 budget cycle. The County's current 2021 budget for the Peer to Peer program currently contains \$93,835. This additional \$91,165 in funding will bring the total amount to \$185,000. The grant will cover expenses related to salaries, training, advertising, events, website maintenance, media, and more for the program.

- Authorizing the acceptance of restoration funding from the New York State 2020 budget in the amount of \$230,127 from the New York State Office of Mental Health, Office of Addiction Services and Supports, and Office for People with Developmental Disabilities into the 2021 budget.

BUDGET IMPACT: None. 100% State Aid.

New York State has authorized the release of previously withheld funding from the third and fourth quarters of 2020 effective immediately. This resolution will restore the previously withheld funding into the 2021 budget.

- Authorizing the acceptance of a \$13,000 incentive payment from New York E-Health Collaborative.

BUDGET IMPACT: None.

This payment will help establish data connectivity between Saratoga County Mental Health electronic health vendor TenEleven, and the Regional Health Information organization HIXNY. Funds will be used for upgrades to IT infrastructure and other office equipment.

- Authorizing major contracts for contact tracing services with: Ashley Hubbard in an amount not to exceed \$52,000; Caroline Regales in an amount not to exceed \$39,000; and Matthew Prock in an amount not to exceed \$45,500.

BUDGET IMPACT: None. Costs associated with these contracts will be covered by a Health Research Inc., grant.

All three of the contact tracers have exhausted the limits of their minor contracts and Public Health is requesting these be moved to major contracts to continue their work in the Department. The hourly rate is \$25 for all three contracts.

- Authorizing an amendment to the major contract with DiRAD Technologies.

BUDGET IMPACT: None. Funds for this project have been allocated in the 2021 budget. This amendment will include the removal of the \$50,000 not to exceed limit, and replace it with an expiration date of December 31, 2021.

- Proclaiming May as Older American's Month in Saratoga County.

BUDGET IMPACT: None.

Saratoga County has more than 46,000 residents who are 60 years of age or older. This year's theme will be Communities of Strength, and focuses on the power of connection and engagement in building strong communities.

- Authorizing the acceptance of federal stimulus funding under the Consolidated Appropriations Act, Title III-C2 administered and released by the New York State Office for the Aging in the amount of \$85,315.

BUDGET IMPACT: None. 100% Federal Aid.

This will provide supplemental funding for senior nutrition programs, specifically home delivered meals to assist with response efforts to the Covid-19 pandemic. The active period for this stimulus funding commenced on 12/27/20 and expires on 9/30/22.

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

BUILDINGS & GROUNDS

- Authorizing an amendment to 2021 budget reappropriating \$716,599 in unspent capital funds from the 2020 Budget for the construction of a snow removal equipment storage building at the County Airport.

BUDGET IMPACT: This project was included in the 2020 budget. A budget amendment will reappropriate these previously budgeted funds into the 2021 budget. 90% of this project is covered through a State grant and the remaining 10% will be transferred from Fund Balance.

Mr. Bulger said that the New York State grant amount of 90% is \$644,939 and the County share of 10% is \$71,660.

On a motion made by Mr. Barrett, seconded by Mr. Wood, the following resolutions were approved. Mrs. Winney abstained from voting on the Animal Shelter item.

PUBLIC SAFETY

- Authorizing the acceptance of grant funding from the U.S. Department of Transportation (DOT) and Pipeline and Hazardous Materials Safety Administration (PHMSA) for the FY 2020 Hazardous Materials Emergency Preparedness Grant Program (HMEP) in the amount of \$5,172 for the period of April 1, 2021 to July 31, 2022.

BUDGET IMPACT: None.

Mr. Bulger said that funding will be utilized by the County's Local Emergency Planning committee to support salaries, supplies and training activities.

- Authorizing the acceptance of additional aid from New York State STOP DWI Foundation, Inc. in the amount of \$1,500.

BUDGET IMPACT: None. 100% State Aid.

Funds will be used for local DWI crackdown program patrols and activities.

- Authorizing a contract with Clark, Patterson, Lee (CPL) for architectural and engineering consulting services for an amount not to exceed \$30,000.

BUDGET IMPACT: None. Funds for this project are included in the 2021 budget.

This contract is for the renovations of the Saratoga County Correctional Facility and will cover services such as data collection, schematic design, design development and construction documents. The work was previously authorized in 2020 through two separate minor contracts and the County Auditor has requested to combine them into one major contract.

- Proclaiming the week of April 16 – 24, 2021 as Crime Victims' Rights Week.

BUDGET IMPACT: None.

This reaffirms the County's commitment to creating a victim service and criminal justice response that assists all victims of crime.

- Authorizing the transfer of \$155,187 from the Animal Shelter Trust Fund to cover construction costs related to a new pre-engineered covered building.

BUDGET IMPACT: None.

Resolution 211-2020 previously authorized up to 80% of the combined donations in 2019 and 2020 to be allowed for use on the completion of one or two large projects at the Animal Shelter. Due to COVID delays, the Shelter was not able to complete smaller projects that had previously been done using 80% of only the prior year's donations. This transfer will reduce the Trust Fund balance from \$416,040 to \$260,853. Mrs. Winney questioned the type of building being constructed. Ms. Heritage said that it is a 36x48 ft. covered canine pavilion with 5 ft. high sides that will provide protection in inclement weather or extreme heat. The building was put out to bid. Ms. Heritage said that she can share the design with any Supervisor that is interested. Mr. Veitch said that he believes it would have been appropriate to bring a structure of this size through the Buildings & Grounds Committee. Additionally, Mr. Veitch said that there was some discussion in past years whether expenditures such as buildings or air conditioning systems are an appropriate expense from the Trust fund. In his opinion, it does not seem to be the donors intended use of the funds. Mr. Schopf said that Resolution 211-2020 appears to have permitted the allocation and use of the funds for the particular capital projects. Ms. Heritage said that this is something that is not

routinely budgeted for such as food, etc. and it will be a huge enhancement for the enrichment and training of the dogs.

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

LAW & FINANCE

- Authorizing an agreement with Wladis Law Firm, PLLC to provide legal representation of the County for Public Health Services.

BUDGET IMPACT: None. Anticipated expenditures are included in the 2021 budget.

Mr. Bulger said that the agreement will run from 4/21/2021 to 4/21/2023 and will provide legal representation of the County for Public Health Services transition to a full service Public Health Department, general legal services related to COVID-19 pandemic response, including contract review, grant administration, and other matters as needed and requested by the County Attorney's office.

- Authorizing the acceptance of \$6,818,071.60 in Federal aid for the COVID-19 Emergency Rental Assistance Program (ERAP).

BUDGET IMPACT: This resolution accepts \$6,818,071.60 in ERAP funding and the necessary journal entries related thereto. State guidance on program implications is being developed and a resolution may be needed to authorize an agreement with NYS for implementation of this program.

Mr. Bulger said that these Federal funds were sent to the County in February, and it was anticipated the County would be overseeing their distribution to eligible renters and landlords impacted by the COVID pandemic. The new State budget however, dramatically changes this situation so that New York State now is taking over control of almost all aspects of this program, including setting up a portal for applicants, handling all funds and disbursements, handling all application approvals, denials and appeals, and taking responsibility for all reporting and usage requirements with the Department of Treasury. In short, this is no longer a Saratoga County program, it is strictly a State program that the County is providing limited assistance to. Because of the late notice from the State last night at 8pm, County staff are in the process of preparing all the necessary resolutions and materials for next week's Board meeting. Based on staff analysis, it is anticipated that up to five resolutions may be presented at next week's Board meeting for this program.

1. Accepting the money from the federal treasury.
2. Authorizing sending that money to New York State.
3. Authorizing a contract based on an RFP for program outreach.
4. Creating two positions within DSS and any amendments to the Compensation Schedule.
5. Authorization to sign agreements with the State to facilitate all of this program.

- Authorizing the Chairman to enter into an agreement with Eckert Mechanical LLC for installation of AHU-5 at the Saratoga County Sewer District's Waste Water Treatment Plant in the amount of \$57,353.

BUDGET IMPACT: None.

This project was put out to bid on 2/10/2021 and will replace the air handling unit on the roof of the Saratoga County Sewer District's #1 Administration building. The project has been approved by the Sewer Commission.

- Authorizing an application to the NYS Comptroller for permission to acquire, construct and install improvements of the Saratoga County Sewer District interceptor and related facilities.
BUDGET IMPACT: None.

This item is recommended by Bond council. Improvements include rehabilitation of the County sewer trunk line, which is approximately 14 miles of the existing interceptor sewer ranging in size from 36 inches to 54 inches in diameter of concrete pipe. The project has been approved by the Sewer Commission.

- Authorizing the Chairman to enter into an agreement with Xylem Water Solutions USA Inc. for maintenance of the UV Disinfection system at Saratoga County Sewer District No.1's Waste Water Treatment Plant.
BUDGET IMPACT: None.

This project was put out to bid on 2/17/2021. Xylem Water Solutions was the sole bidder at \$19,758 for the project. Ongoing preventive maintenance of the UV system ensures better compliance, less downtime and decreased usage.

- Authorizing the Chairman of the Board to execute contracts with Barton and Loguidice and Advanced Enterprise Systems Corporation dba Utility Cloud for the development, implementation and software licensing for an Asset Management Program for the Saratoga County Sewer District.

BUDGET IMPACT: None. Funds for the contracts are covered in the 2021 budget.

The agreement with Barton & Loguidice is in the amount of \$62,934, and the Advanced Enterprise System license fee is \$40,000 per year for a three year term. The total year one cost for the project is \$102,934. The software program will assist in both the collection system and the wastewater treatment plan. This was previously approved by the Sewer Commission..

- Authorizing the Chairman of the Board to execute an easement agreement with Anthony DiSiena and Lindsey Donini, 68 English Road in the Town of Clifton Park, to allow a sewer lateral to be installed on County lands.

BUDGET IMPACT: None.

The sewer line must traverse the properties at both 68 and 69 English Road. The homeowner at 69 English Road has already agreed to an easement in principle. This contract will be responsible for all trail restoration, and Saratoga County Sewer District will work with the Planning Department to ensure a problem restoration is done.

- Introducing a proposed Local Law opting into the new DEC deer hunting pilot program and setting a date for a public hearing.

BUDGET IMPACT: None.

The New York State 2021/22 budget, negotiated between the Governor and the Legislature, included a provision for youth ages 12 and 13 to hunt deer under adult supervision in New York State under a pilot program set to expire on 12/31/23. Prior to the enactment of this law, New York State was one of the most restrictive states in the nation, when it came to allowing youth hunters

the ability to pursue big game with a rifle, shotgun or muzzle loader. Under the adopted budget language, counties must formally opt in, in the form of a Local Law to participate. New York State DEC is requesting that this option be completed by June 1st if possible, so that the information can be published in the hunting guides that are printed prior to license sales. The public hearing will be held on May 18, 2021 at 3:30pm, prior to the Board of Supervisors meeting. Mr. Bulger noted that that County Planning Director Jason Kemper, who also serves as Chairman of the New York State Conservation Fund advisory board, has been a leading force over several years to get this legislation passed by the State, and was especially instrumental working with the DEC, and State and Senate and Assembly members during the past few weeks to get this included in the State budget. Mr. Schopf and Mrs. Winney thanked Mr. Kemper for his work on this item.

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

CHAIRMAN'S ITEM

- Appointment to the Soil & Water Conservation District.

BUDGET IMPACT: None.

Mr. Bulger said that this will appoint Janet Bartow from the Town of Milton as the Grange representative. The term will expire on December 31, 2022.

Ms. Lindsey Connors, Community Development Planner of the Office of Planning and Development in the City of Saratoga Springs, distributed a handout and gave a brief overview of the Community Development Block Grant Entitlement Program. The handout is attached to these minutes. Ms. Connors said that City of Saratoga Springs is considered an Entitlement Community. This is a designation by HUD, based on the size of the municipality. Saratoga County has recently also become eligible to be an entitlement community under that same HUD designation, as the County has now surpassed a 200K population count. Ms. Connors said that the City is willing to relinquish their standing as an entitlement community, making the annual allocation now a County resource, and managing that entitlement program on behalf of the County. The County would have to undergo a qualification process in order to acquire the funds. Namely, every unit of local government within the County has the option to opt in or opt out of the urban County that would become an entitlement community. There are a few thresholds under which the County can qualify. Ms. Connors recommends the second threshold which is, of the communities opting in, there is over 100K population, and included in that population would be the majority of the County's low to moderate income population in total. Previously, it was attempted to reach the qualification under the first threshold, which is 200K of opt ins. This fell short by approximately 400. Last year the efforts were derailed due to the pandemic. Entitlement funds are used for housing, economic development, elimination of slums and blight, expansion of community services, and neighborhood revitalization, and 70% of the funds have to benefit low to moderate income community. The handout also lists possible future CDBG projects. Ms. Connors said that if the County was to qualify for the 2022 program year, the process would need to start now. If this year's qualification process cannot be met, it is something that can be planned and pursued for the following year. Mr. Bulger thanked Ms. Connors for her work in putting the presentation together.

Mr. Bulger said that this year's timeframes are very tight and it would behoove the County to create an advisory committee to prepare for the following years program. Ms. Connors also noted that for those municipalities that opt in, it is only locked in for a period of three years.

On a motion made by Ms. Gaston, seconded by Mr. Veitch, to enter into Executive Session for the purpose of discussions regarding proposed, pending or current litigation. Unanimous.

On a motion made by Mr. Barrett, seconded by Mr. Veitch, to return to open session. Unanimous.

Mr. Schopf reported that the following action was taken in Executive Session.

A motion was made by Ms. Gaston, seconded by Mr. Barrett, authorizing certain members of the Board of Supervisors to retain private Counsel of their own choosing in relation to a notice of claim filed by Spencer Hellwig. Unanimous.

Mr. Schopf said that Saratoga County Local Law #4 of 1984 provides that defense and indemnification is provided for employees, including elected officials, by Saratoga County, to be able to retain their own counsel should a conflict of interest potentially exist in litigation.

On a motion made by Mr. Veitch, seconded by Ms. Gaston, the Board Meeting Agenda for April 20, 2021 was approved unanimously.

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

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board