

Law and Finance Committee Minutes
May 12, 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, Dick Lucia, Darren O'Connor, Bill Peck, Jean Raymond, Mo Wright and Chairman of the Board Theodore Kusnierz; Steve Bulger, Brian O'Connor, Matt Rose, Audra Hedden, County Administrator; Michael Hartnett, Michael Naughton, Hugh Burke, County Attorney; Eileen Bennett, Information Technology; J. Wes Carr, Rebecca Robarge, Youth Bureau; Chad Cooke, Public Works; Karen Heggen, District Attorney; Andrew Jarosh, Treasurer; Daniel Kuhles, Public Health; Jenniffer McCloskey, Employment & Training; Marcy McNamara, Adam Kinowski, Human Resources; Tina Potter, Social Services; Michael Prezioso, Mental Health & Addiction; Dan Rourke, Sewer District; John Warnt, Purchasing; Pamela Wright, Clerk of the Board; Michael Zurlo, Rick Castle, Sheriff; Scott Brackett, CSEA.

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 April 14, 2021 meeting were approved unanimously.

On a motion made by Mr. Barrett, seconded by Ms. Winney, the County Cyber Liability resolution was amended to include an amendment to Resolution 112-2021. Unanimous.

Mr. Bulger said that Resolution 112 of 2021 needs to be amended to reflect corrected premium amounts. The insurance company has notified the County that the premiums must be itemized in a slightly different manner for payment processing. The premium totals remain the same.

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

HUMAN RESOURCES & INSURANCE

- Authorizing the approval of the County Cyber Liability Insurance Policy with Crum & Forster until May 8th, 2022.

BUDGET IMPACT: None. Funds are available in the 2021 budget.

Mr. Bulger said that this will retroactively approve the policy for the County's cyber liability insurance policy effective May 8, 2021 until May 8, 2022. The policy includes a \$1M coverage limit a \$100,000 deductible and a premium of \$45,216.

- Authorizing a revision to the standard work day for elected County officials for retirement purposes.

BUDGET IMPACT: None.

Mr. Bulger said that regulations of the New York State and Local Employees Retirement System require that municipalities continually update their standard workday resolutions to reflect changes in employment status of individual employees.

- Authorizing an amendment to the 2021 Compensation Schedule to reinstate the Account Clerk Typist PT under County Treasurer until December 31, 2021.

BUDGET IMPACT: None.

Keeping the Account Clerk Typist position filled through the end of the year will help to maintain staffing and continuity through this year as the duties of Tax Enforcement Officer are transitioned to the Treasurer, and through retirements and training of new hires.

- Authorizing an amendment to the 2021 Compensation Schedule to create one Director of Public Relations, Grade 15, under the County Administrator.

BUDGET IMPACT: None. Funds for the new position are available in the 2021 budget through an inter-department transfer.

Funds for the new position are available in the 2021 budget through an inter-department transfer. This position will be implemented at step one with a base salary of \$73,127. The Director of Public Relations will be responsible for the planning, coordinating and controlling of public relation and information activities for the County of Saratoga.

- Authorizing a temporary monthly stipend of \$1,500/month for Rebecca Robarge, Youth Services Specialist, from June 2021 through December 2021.

BUDGET IMPACT: None. Funds for the stipend are available in the 2021 budget.

This stipend is in response to additional duties for Rebecca Robarge following the retirement of Director Wes Carr.

- Authorizing an extension of the agreement with Goldberg Segalla LLP for its professional legal services in comprehensive labor relations and representation for, and on, behalf of, the County.

BUDGET IMPACT: None. Funds for the agreement were included in the 2021 budget.

Extension of the contract is being recommended at the current hourly rates with the intention to bid for professional legal services at a later date this year.

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

HEALTH & HUMAN SERVICES

- Authorizing major contracts for contact tracing services with: Suzanne Kwasniewski in an amount not to exceed \$39,000; Kyle Abdellatif in an amount not to exceed \$45,500; and Kayla Aschmutat in an amount not to exceed \$39,000.

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

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 two major contracts to continue their work in the Public Health Department.

- Authorizing a transfer in the amount of \$200,000 from Fund Balance into the Public Health Operating Budget for Public Health Department Expansion costs.

BUDGET IMPACT: This will require an appropriation from Fund Balance in the amount of \$200,000.

The purpose of these funds is to set aside initial resources related to the upcoming expansion of Public Health Services to a full service Public Health Department. The funds will cover anticipated contractual, legal, consultants and other additional costs as needed in the ramp up, particularly for the environmental health inspections components.

On a motion made by Ms. Gaston, seconded by Mr. Veitch, the following resolution failed.

Ayes: Gaston, Veitch, Wood. Nays: Barrett, Tollisen, Winney, Schopf.

HEALTH & HUMAN SERVICES

- Authorizing a \$75,000 contribution to RISE Housing & Support Services.

BUDGET IMPACT: This will require an appropriation from Fund Balance in the amount of \$75,000.

Mr. Bulger said that the funding is proposed to be used for renovation of a commercial kitchen and hiring of a Development Director for the RISE Social Center. Mr. Tollisen questioned if item should normally go through the budget process. Ms. Gaston said that it is not currently in the budget, they are moving forward with the request now as they did not have the ability to submit a request last year. Ms. Gaston gave a brief overview of the current and proposed services provided by RISE. The Social Center would provide a less structured therapeutic environment that will allow clients to engage with personnel and become more familiar and ideally get them into more structured programs. Ms. Gaston said that information was provided via email to Supervisors addressing questions raised at the Health committee. Mr. Tollisen said that a few years ago, each municipality received profit sharing funds from the Landfill and it would be his expectation that municipalities should fund something like this. Ms. Tollisen also expressed concern over opening up the County to several requests from other not for profit organizations during non-budget time. Ms. Gaston said that this would serve beyond the municipality of the City of Saratoga Springs. Additionally the landfill funds go directly to the City which neither she or Supervisor Veitch have input on how they are spent. Mr. Barrett said that he did vote against this at the Committee, one of the reasons was the subject of outside party requests coming through the budget process. Mr. Barrett said that if the \$75K is funded, it will be difficult to not approve the additional requests slated through 2024 which would total \$675K. Mr. Barrett said that he looks forward to taking a tour of the similar Warren County Social club. Mr. Barrett believes that annual requests from outside entities should be entertained through a structured process. Mr. Barrett said that he will be voting no today, however will keep an open mind and would entertain the request at a future time. Mr. Veitch said that the County had a similar program to the proposed RISE Social Club in the past called the Friendship House. Mr. Veitch was unsure why this program ended, however it was a good idea. Mr. Veitch said that a policy on not for profit funding requests could be taken up at the Government Review Committee.

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

TECHNOLOGY & RESILIENCY

- Authorizing a contract with Presentation Concepts Corporation for Audio/Visual design and implementation services related to audio and visual upgrades to the Board Room and one Committee Room.

BUDGET IMPACT: None.

Mr. Bulger said that Presentation Concepts Corporation Inc. will design and implement a turnkey audio visual system for the Board room and Committee room. This includes the new Supervisors discussion system, which includes an all in one terminal at each desk that acts as a microphone, speakers and video monitor. The system is scalable and can be upgraded to a complete paperless meeting system and includes a local video camera system with commercial grade monitors with the ability to livestream meetings. Mrs. Bennett gave a brief overview of the planned improvements. Ms. Gaston thanked Mrs. Bennett and Mr. Warmt for their work on this and said that this option is the best able to adjust and grow in the future.

- Amending Resolution 257-2019 pertaining to the lease agreement with Twinstare Technologies Inc. for phone upgrades and support of the Dept. of Motor Vehicle phone system.

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

The current agreement included options to add phone upgrades and support for the Department of Motor Vehicles. The amended quote will be for 39 months at a monthly cost of \$997 with a total cost of \$38,883.

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

PUBLIC SAFETY

- Authorizing a contract with the Village of Corinth for specialized Law Enforcement Services, amending the 2021 Compensation Schedule under the Sheriff's Department, and amending the 2021 County Budget in relation thereto.

BUDGET IMPACT: None.

Mr. Bulger said that This resolution will formalize an agreement between the Sheriff and the Village of Corinth, the 2021 Compensation schedule will be amended to create one Deputy Sheriff position. This position will provide patrol services to the Village for 56 hours per week, beginning on June 1 2021 and concluding on May 31 2024. The prorated cost for year one of the agreement will be \$78,255.14. \$136,627.02 in year two, \$139,155.21 in year three, and \$59,056.03 for the remaining five months of the agreement in 2024.

On a motion made by Mr. Tollisen, seconded by Mr. Wood, the following resolution was approved. Ms. Gaston voted no.

PUBLIC SAFETY

- Authorizing a renewal agreement with Lexipol LLC for specialized software and management services for policy development, accreditation, and training.

BUDGET IMPACT: None. Funds for the agreement are included in the 2021 Budget.

Mr. Bulger said that the total cost of the renewal agreement will be \$37,819. Lexipol is the current vendor of policy, accreditation and training, development and management services for the Sheriff's office. The original contract was awarded based on an RFP to which Lexipol was the only respondent. Ms. Gaston said that she is voting no on this item as it seems that this may be far more than other agencies of the size are paying. Ms. Gaston would like more information on what the distinction is before moving forward with an annual contract of this size.

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

TRAILS & OPEN SPACE

- Amending Resolution 258 of 2019 to comply with a reduction in funding for the Open Space Grant.

BUDGET IMPACT: None.

Mr. Bulger said that this is regarding the Smassanow project in the Town of Milton. The Planning Department was notified that the total project cost has been reduced to \$152,994 from \$179,854, and therefore the County Open Space Grant has been reduced to \$76,497 from \$89,927. Since this change is greater than the 10% allowed in Resolution 258 of 2019 and in consultation with the County Attorney, a new resolution will be required.

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

ECONOMIC DEVELOPMENT

- Authorizing the acceptance of \$43,701.26 in Employment Recovery National Dislocated Worker Grant Funds from the NYS Department of Labor.

BUDGET IMPACT: None. 100% Federal Aid.

Mr. Bulger said that Saratoga County is the grant recipient for the Saratoga, Warren and Washington Workforce Development area and will retain \$22,838.28 of the awarded amount. The remaining \$20,862.98 will go to Warren and Washington counties. This grant will be used to provide career services, training services, supportive services, and needs related payments to dislocated workers.

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

PUBLIC WORKS

- Authorizing the implementation and funding of 100% of the costs of a transportation project for the construction and construction inspection services for the rehabilitation of the Hans Creek Road Bridge over Hans Creek in the Town of Providence in the amount of \$554,500.

BUDGET IMPACT: None. 5% County share is available in the 2021 budget.

Mr. Bulger said that costs for this transportation project may be eligible for Federal aid, State aid or Bridge New York funds. The County's 5% share of the project equates to \$27,725.

- Amending the Consultant agreement with Creighton Manning Engineering, LLP to include construction support and inspection services for the rehabilitation of the Hans Creek Road Bridge over Hans Creek in the Town of Providence in the amount of \$116,500.

BUDGET IMPACT: None. 5% County share is available in the 2021 budget.

The original contract with Creighton Manning was authorized through Resolution 73 of 2019 with a cost not to exceed \$125,000. At that time, Saratoga County Department of Public Works had evaluated and ranked all firms on New York State DOT's Region One Local Design Service agreement list and selected Creighton Manning Engineering LLP to provide design services related to the rehabilitation of the bridge.

- Introducing a Local Law authorizing the conveyance of the Roberts Lane Bridge to Synergy Park, LLC and setting a date for a public hearing.

BUDGET IMPACT: None.

This bridge previously served a single private property and is currently surrounded by private property with no easements. In 2020 the Town of Halfmoon, through a Resolution of the Town Board, abandoned Roberts Lane and transferred ownership to the adjoining property owner.

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

BUILDINGS & GROUNDS

- Approving and confirming the auction sale of County-owned lands located at 31 Woodlawn Avenue in the City of Saratoga Springs.

BUDGET IMPACT: This will result in an increase of \$2,800,100 in 2021 revenues.

Mr. Bulger said that Auctions International conducted an online auction on behalf of the County from April 6 through April 28. There were 182 bids received, the highest being from the Adirondack Trust Company at \$2,800,100. The 10% required deposit was wired from Adirondack Trust Company and received by Auctions International on April 28 2021.

- Authorizing a five-year extension of the current lease between the Board of Elections and WAM Commercial Associates LLC for the secure storage of voting machines and related materials commencing on September 1st, 2021 and concluding on August 31st, 2026.

BUDGET IMPACT: None.

The Board of Elections has had 10 years of consistently positive experiences with WAM. The proposed lease renewal will stay the same for one year at \$5,843 per month with a 2% increase per year for years two, three and four, and the fifth and final year being a 3% increase.

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

LAW & FINANCE

- Authorizing a transfer in the amount of \$700,000 from Fund Balance into the Public Health Operating Budget for COVID response efforts.

BUDGET IMPACT: This will require an appropriation from Fund Balance in the amount of \$700,000.

Mr. Bulger said that in January of this year, the Board reappropriated nearly \$400,000 for COVID response and relief efforts to Public Health's operating budget. Those funds have been nearly exhausted mostly due to expenses related to contact tracing, PPE, vaccination expenses and other supplies. Currently, \$825,715.45 remains outstanding in potential reimbursements, which includes FEMA reimbursements for all Departments and non FEMA Public Health expense reimbursements from the HRI Grant, State Aid and others. Estimated costs for the next few months include the contact tracer contracts \$160,000, nurse connection contract \$20,000, inmate reimbursement \$100,000, EMS vaccine contracts \$180,000, DiRAD setup and calling \$140,000, and miscellaneous expenses \$100,000, for a total of \$700,000.

- Adopting a Local Law opting into the new DEC deer hunting pilot program.

BUDGET IMPACT: None.

A public hearing for this proposed Local Law will be held on May 18 at 3:30pm.

- Authorizing the Chairman to enter into an amendment to the agreement with Tyler Technologies Inc. for new SQL Server service.

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

The server services to be provided by Tyler Technologies includes installation and configuration of the windows SQL Server and restoration of all New World ERP databases to the new SQL Server at go live. Ms. Gaston said that this item should go before Technology & Resiliency Committee however has agreed at the request of Mrs. Bennett that it would be brought directly to this Committee. Initially it was going to be an amendment to a minor contract. Ms. Gaston believes that it should be the County's policy and practice to not make amendments through that method.

- Authorizing the Chairman of the Board to execute a contract amendment with Arcadis to reappropriate funds within the existing engineering contract for the Biosolids Facility design.

BUDGET IMPACT: None.

This amendment will allow Arcadis to begin work studying different options for a Biosolids Facility here at the Saratoga County Sewer District. Albany County has recently submitted a withdrawal letter to remove themselves from the current inter-municipal agreement. Therefore, the Sewer District will now need to explore options for a Biosolids Facility at the existing

Wastewater Treatment Plant. Ms. Gaston asked how much has already been spent on the intermunicipal agreement plan and if any of the funds already spent could be recouped. Mr. Rourke said that \$500K was the County share spent to date and it is hoped that we will utilize some of the funds by having Arcadis to assist with the options.

- Authorizing the Chairman of the Board to execute a contract with Arcadis of New York Inc. in the amount of \$24,500 to perform a technical determination of local limits study and evaluation for Saratoga County Sewer Districts Industrial Pretreatment Program.

BUDGET IMPACT: None.

This work will update already defined pollutants of concerns that SCSD must regulate to protect the Wastewater Treatment Plant, the public and the environment. Five proposals were received and range from \$24,500 to \$69,400. Arcadis has intimate knowledge of the collection system and is currently performing plant modeling as part of the biosolids project. They were the low proposal and provide the best value to perform this work.

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

CHAIRMAN'S ITEM

- Appointing Therese M. Connolly as Clerk of the Board.

A motion was made by Ms. Gaston, seconded by Mr. Barrett, to enter into Executive Session for the purpose of discussing a litigation update from the County Attorney on the Saratoga County versus Delaware Engineering et al. matter. Unanimous.

A motion was made by Mr. Veitch, seconded by Mr. Barrett, to return to open session. Unanimous.

The following action was taken in Executive Session.

A motion was made by Mr. Barrett, seconded by Ms. Gaston, authorizing the special counsel Couch White, the Chairman of the Board, and or the County Attorney to settle the matter of County of Saratoga versus Delaware Engineering et al. against remaining named defendants, including Delaware Engineering, North Country Engineering, and the Estate of David Klein, in the amount of \$500,000. Unanimous.

A motion made by Mr. Veitch, seconded by Mr. Barrett, to add the Executive Session item to the Law and Finance agenda. Unanimous.

On a motion made by Ms. Gaston, seconded by Mr. Tollisen, the Board Meeting Agenda for May 18, 2021 was approved unanimously.

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

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board