

Law and Finance Committee Minutes
January 13, 2016 – 4:00 p.m.

Present: Chairman Kinowski; Supervisors Collyer, Lent, Lewza, Raymond, Tollisen, Veitch, Martin, Allen, Lucia, and Wood; Spencer Hellwig, Administrator; Chad Cooke, Deputy Administrator; Jason Kemper, Planning; Wes Carr, Youth Bureau/STOP DWI; Oscar Schreiber, Public Defender; Andrew Jarosh, County Treasurer; Keith Manz, Public Works; Joanne Bosley, Real Property; Brian O’Conor, County Auditor; Sandra Cross, Office for the Aging; Steve Dorsey, County Attorney; Marcy McNamara, Personnel; Matthew Hosek, Resident; Press.

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

On a motion made by Mr. Collyer, seconded by Mr. Lewza the minutes of the December 9, 2015 meeting were approved unanimously.

Chairman Kinowski announced the appointment of Mr. Collyer as committee Vice Chair.

PERSONNEL AND INSURANCE

- **Amending the 2016 Compensation Schedule to create one (1) Assistant District Attorney and acceptance of a Crimes Against Revenue Program Grant from the NYS Division of Criminal Justice Services in the amount of \$125,230 and amending the budget in relation thereto.**
- **Amending the 2016 Compensation Schedule under Public Works to reclassify one (1) Heavy Equipment Operator to one (1) Engineering Technician.**

Mr. Hellwig said the first item is to authorize an amendment to the 2016 Compensation Schedule to add one Assistant District Attorney. This is part of the acceptance of a Crimes Against Revenue Program grant that District Attorney Heggen has received from the New York State Department of Criminal Justice Services. The money will be used to fund this position which will focus primarily on crimes involving Medicaid Fraud, people who fail to pay taxes, and workers comp fraud.

The second item is an amendment to the 2016 Compensation Plan where there is a request for reclassification of a Heavy Equipment Operator to one Engineering Technician position in the Public Works Department.

On a motion made by Mr. Lewza, seconded by Mr. Veitch the above resolutions were approved unanimously.

EQUALIZATION AND ASSESSMENT

- **Accepting a tender offer in the Town of Providence for \$1,809.86 and authorizing the conveyance of the parcel back to the original owner.**
- **Authorizing the conveyance of one (1) tax acquired parcel in the Town of Milton to the under bidder from the September 2015 Property Auction in the amount of \$1,500.**
- **Authorizing the County Auditor to approve tax refunds and corrections not to exceed \$2,500.**

Mr. Hellwig said the first item is the acceptance of a tender offer for a parcel in the Town of Providence. The previous owner has paid the back taxes and other fees due for tax years 2013, 2014, and 2015.

The second item will authorize the conveyance of an auction parcel to the under bidder due to the failure of the high bidder in the auction to close on the sale. The high bidder's price was \$1,600. The under bidder is \$1,500. This resolution will accept the under bid and authorize the conveyance to that bidder.

The third item is a resolution that authorizes the county Auditor to approve tax refunds and corrections in amounts not to exceed \$2,500.

On a motion made by Mr. Collyer, seconded by Mr. Lent the above resolutions were approved unanimously.

SOCIAL PROGRAMS

- **Authorizing an agreement with the Town of Clifton Park to provide \$47,273 in funding for a senior transportation van.**
- **Authorizing an agreement with the Town of Halfmoon to provide \$20,021 in funding for a foldable divider for the Town's Senior Citizens Center.**

Mr. Hellwig said the first item is with the Town of Clifton Park to provide funding for the purchase of a handicapped accessible van to transport local seniors in the Town of Clifton Park.

The second item will authorize an agreement with the Town of Halfmoon to provide funding for the purchase of a folding divider wall that will be used in the Town's Senior Center.

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

PUBLIC WORKS

- **Amending Resolution 97-87 to clarify language with respect to cost for ownership and maintenance of traffic signals.**
- **Amending the Policy and Procedure Manual to add the County of Saratoga Americans with Disabilities Transition Plan.**
- **Authorizing an amendment to the agreement with Toski & Co., Inc. to provide two (2) additional Federal Aid Bridge Project audits for an amount not to exceed \$7,800.**
- **Authorize a shared services agreement with NYSDOT to provide emergency assistance to municipalities in the absence of a Governor's emergency declaration.**

Mr. Hellwig said the first item is an amendment to resolution 97-87 which established the policy for the financing of traffic control signals in the county. The old language in the resolution indicates that the costs shall be shared equally between the county and the local municipality whose roads intersect the intersection. The issue that has come up is that some intersections may have three legs on them and it is impossible to share equally, so the language will be changed from equally to proportionally.

The second item will be the adoption of the American with Disabilities Transition Plan. The Public Hearing was held last month, which is a part of the process leading up to the adoption of the plan. The plan will ensure that the highway department creates reasonable and accessible plans of travel in the public right of way, i.e. sidewalks along any county roadways. The county has five years to identify and address the areas where the accessibility issue exists.

The third item is an amendment to an agreement with Toski & Co. to provide two additional federal aid bridge project audits. Federal regulations require that these audits be performed when a consultant's agreement exceeds \$300,000. There are two additional projects that need to be added to the contract and this resolution will authorize that.

The fourth item is for authorization for a shared services agreement with the NYS Department of Transportation. The agreement would provide for emergency assistance to municipalities in the absence of an emergency declaration by the Governor's office.

On a motion made by Mr. Tollisen, seconded by Mr. Lewza the above resolutions were approved unanimously.

LEGISLATIVE AND RESEARCH

- **Introducing a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2016, associated with room occupancy tax revenues, and setting a public hearing thereon.**

- **Introducing a proposed Local Law identified as “A Local Law establishing the procedure for filling a vacancy in the office of a Supervisor who is neither a City Council nor a Town Board Member”, and setting a public hearing thereon.**

Mr. Hellwig said the first item is home rule legislation requesting the County’s occupancy tax law. Last year that request was approved by the Legislature and the bill was signed into law by the Governor in September. A Local Law now needs to be introduced to revise the distribution of the occupancy tax as well as the membership of the committee that makes the decisions on how the funds will be spent. In addition, the County Attorney has indicated that the law will also provide clarification that limited liability companies, hotels, motels, etc., in the county are subject to the same occupancy tax.

The second item is a Local Law for a Public Hearing to address the filling of vacancies for any of the three city supervisors, as well as the second supervisor serving in the town of Clifton Park. The cities current charters both in Mechanicville and Saratoga Springs both indicate that both the City Council’s will appoint the replacement in the event that the Supervisor was to leave office prior to the end of the term. In the case of Clifton Park, the town does not currently have language in the town ordinances to deal with a temporary appointment for that position. The town has indicated that they will be making changes to the town code to address that shortcoming.

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

LAW AND FINANCE

- **Authorizing the re-appointment of Kyran Nigro as Conflict Defender for a two (2) year term expiring December 31, 2017.**
- **Authorizing the re-appointment of Andrew DeLuca and Neil Weiner as Assistant Conflict Defenders for two (2) year terms expiring December 31, 2017**
- **Authorizing the re-appointment of Karen D’Andrea and Jeff Bagnoli as Assistant Public Defenders using Upstate Quality Improvement and Caseload Reduction Project Grant money.**

Mr. Hellwig said the first item is the re-appointment of Kyran Nigro as Conflict Defender. Kyran was appointed by the Board approximately six months ago, and the contract has expired.

The second item is a reappointment of two assistants that work for Kyran in the Conflict Defenders office, both Andrew DeLuca and Neil Weiner. All of the costs associated with the Conflict Defenders office are covered through State Aid under the Indigent Legal Services Grant. There are no benefits paid, and in the event that funding was to be terminated, so would these positions.

The third item is a reappointment of Karen D'Andrea and Jeff Bagnoli as Assistant Public Defenders. These are part-time positions that are covered under a State Grant and to serve under similar conditions, in that, should the grant funding go away then the positions will be terminated. In all cases, these positions will be receiving a 2% increase, which is consistent with what was approved for the other employees in the county, and has been placed in the budget for 2016.

On a motion made by Mr. Veitch, seconded by Ms. Raymond the above three resolutions were approved. Mr. Tollisen recused himself from the vote.

- **Setting a public hearing on proposed amendments to the boundaries of Saratoga County Consolidated Agricultural District #2.**

Mr. Hellwig said the above item is to set a public hearing for the proposed amendments to the boundaries for the county's agricultural district #2. The amendments include changes to the district and the towns of Ballston and Clifton Park. There were three petitions filed with a total of five parcels.

On a motion made by Mr. Collyer, seconded by Mr. Lent the above resolution was approved unanimously.

On a motion made by Mr. Lent, seconded by Mr. Lewza the meeting was adjourned unanimously.

Respectfully submitted,
Chris Sansom