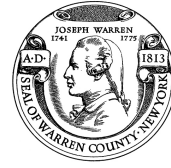


Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, MAY 15, 2015**



The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Taylor.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Brock, Kenny, Frasier, Simpson, Vanselow, Dickinson, Merlino, Strough, Seeber, Sokol, Beaty, Westcott, Thomas, Wood and Geraghty - 20; Absent - 0.

Motion was made by Supervisor Vanselow, seconded by Supervisor Dickinson and carried unanimously to approve the minutes of the April 17, 2015 Board Meeting, subject to correction by the Clerk of the Board.

Commencing the Agenda review, privilege of the floor was extended to Supervisor Simpson to recognize Tom JoHansen, *Town of Horicon Resident*, as Warren County Senior of the Year. Supervisor Simpson advised that it was an honor to be a part of recognizing citizens that had made exceptional contributions to the community. He said that Mr. JoHansen had been an outstanding contributor to the community for many years through his volunteer work and love for the community. He reported some of the highlights of Mr. JoHansen's services to the community were his work with the Warren County Historical Society, Friends of Horicon Free Public Library, the Warren County Bicentennial, and Meals on Wheels. He noted one of Mr. JoHansen's current endeavors was working towards the complete restoration of the 1880 Church of Adirondack. He commented it was his distinct honor and privilege to present Mr. JoHansen with a certificate from the Warren/Hamilton Counties Office for the Aging. A round of applause was given.

At Chairman Geraghty's request, Supervisor Strough came forward to present Lillian Wood, *Town of Queensbury Resident*, with a certificate on behalf of the Warren/Hamilton Counties Office for the Aging honoring her as the Outstanding Senior Contributor for Warren County. He thanked Ms. Wood for the contributions she provided to the community and a round of applause was given.

Resuming the Agenda review, privilege of the floor was extended to Nick Rowell, *Natural Resource Specialist for the Warren County Soil & Water Conservation District*, to review the draft 2014 MS4 (*Municipal Separate Storm Sewer System*) Annual Report. Mr. Rowell announced that the MS4 Annual Report had been open for 3 weeks to allow for public comment, of which none had been received. He advised the report was posted on the Warren County Soil & Water Conservation District website and a link to the report had been placed on the Warren County website, as well. He added a hard copy of the Report was available for review in both the Department of Public Works Office and the Warren County Soil & Water Conservation District Office. Mr. Rowell said he welcomed any public comment and would be happy to answer any questions the Board members may have concerning the Report.

Chairman Geraghty requested that Mr. Rowell provide some background information as to why the

Report was required. Mr. Rowell apprised that the County was required to manage the storm water on all County roads. He said the Warren County Soil & Water Conservation District had completed all of the storm sewer shed mapping for the County, as well as public outreach, stream cleanups, illicit discharge detection and elimination and alcove mappings each year. He commented they continued to meet all the goals set forth and improved upon the program each year. Chairman Geraghty pointed out that the County had struggled with preparing this Report until the Warren County Soil & Water Conservation District assumed the responsibility and he mentioned the Report had been rather flawless since they had taken it over. He noted a consensus of the Board was required to close the public comment period for the Report.

Motion was made by Supervisor Wood, seconded by Supervisor Monroe and carried unanimously to close the public comment period of the MS4 Annual Report.

Moving along with the Agenda review, privilege of the floor was extended to Larry Paltrowitz, *Legal Counsel for Warren County*, who was in attendance to address the Board relative to impact negotiations with affected bargaining unit employees in connection with the transfer of Westmount Health Facility. Mr. Paltrowitz apprised as a result of several negotiating sessions with the CSEA (*Civil Service Employees Association*) he was pleased to report that the County had entered into a MOA (*Memorandum of Agreement*) with the CSEA over the terms of the settlement. He mentioned CSEA had approved the MOA, which was subject to ratification by the Board of Supervisors. Amanda Allen, *Clerk of the Board*, distributed copies of the MOA to the Board members, as well as an un-numbered, un-introduced resolution entitled "*Approving Memorandum of Agreement Between the County of Warren and the Civil Service Employees Association (CSEA) Relating to Impact Bargaining Negotiations with Affected Bargaining Unit Employees in Connection with the Transfer of the Westmount Health Facility*"; a copy of the MOA is on file with the items distributed at the Board Meeting.

Mr. Paltrowitz advised there were five goals the County attempted to achieve with the MOA, the first of which was to have an incentive in place to retain employees at Westmount Health Facility until the transfer to the new buyer took place. He continued, the next goal was to offer an incentive to discourage employees from utilizing their accrued sick time so that the County would not be incurring overtime or agency expenses. He stated the third goal was to reward all of the Facility's employees for their years of service to the County. He said the fourth goal was to reward employees who had provided at least 20 years of service and dedication to Warren County. He added the fifth, and foremost, goal was to be fair to the employees of the Facility but also be fiscally responsible to the County. He noted they were able to achieve all of these goals with the MOA that was being presented for approval before the Board today. He mentioned he would like to review the terms of the MOA with the Board and answer any questions they may have.

The key element to MOA Item No. 1, Mr. Paltrowitz stated, was that in order for employees to obtain these benefits they were required to remain employed by Westmount Health Facility until the date of transfer to Centers Health Care. He advised Item No. 1(a) related to earned, but unused vacation and floating holiday benefits. He pointed out as per the current collective bargaining unit agreement, as well as State and Federal laws, the County was obligated to pay employees any earned but unused vacation or floating holidays. He said Item 1(a) confirmed that the County would be making these payments.

Item No. 1(b), Mr. Paltrowitz apprised, referred to the incentive with regard to sick leave. He explained that up to a maximum of 8 days of sick leave would be paid out to employees who did not call off from May 8, 2015 to the date of transfer of the Facility, regardless of when the closing occurred; however, he said, employees who called in sick during this time period would have two days deducted from the 8 days of sick leave for every occurrence. He mentioned this was not a punitive measure but rather an

opportunity for employees. He added in the event that all of these sick days were paid out and no sick days were utilized, the total cost to the County was approximately \$80,000.

Mr. Paltrowitz advised Item No. 1(b)(ii) stated that if an employee had accrued less than 20 years of service, the County would pay them 20% of their accumulated earned but unused sick leave as of May 2, 2015, up to a maximum of 560 hours. He noted the key element in the collective bargaining agreement required that an employee who retired from the County be paid an accumulated percentage of their sick time up to a maximum of 70 days, which equated to 560 hours; therefore, he said, they used this as the cap in their negotiations with the CSEA.

Item No. 1(b)(iii), Mr. Paltrowitz apprised, referred to the additional benefit offered to employees who had at least 20 years of service with the County. He stated the County would pay these employees 50% of their actual accumulated earned but unused sick leave as of May 2, 2015, up to a maximum of 560 hours. He explained this was the benefit the employees would have received had they continued to be employed by the County until retirement. He pointed out they were being offered a benefit they would have received if ownership of the Facility had not been transferred and they remained employed by the County until their retirement. Mr. Paltrowitz mentioned that assuming sick leave was not used between now and the transfer of the Facility, the cost to the County for Item Nos. 1(b)(ii) and 1(b)(iii) was about \$67,000. He reported that the maximum fiscal exposure to the County for all benefits being offered to the Facility's employees was \$147,000.

Item. No. 2, Mr. Paltrowitz advised, required the County to provide retiree health insurance benefits to those employees who had accrued a minimum of 20 years of service with the County and were at least 50 years of age or had 30 years of service with the County regardless of age as long as they remained on staff at Westmount Health Facility until the date of transfer. He mentioned these were the same benefits the County would have been required to provide to the employees had they remained employed by the County until they retired, as stated in Section (1)(c) of Article IX of the collective bargaining unit agreement. He noted there were 9 employees at the Facility who were eligible for the aforesaid benefits.

Mr. Paltrowitz stated that Item No. 3 required the County to provide health insurance to eligible employees through the last day of the month in which they were laid off as a result of the transfer of the Facility, rather than dropping their health benefits as of the last day of employment. He advised Item No. 4 required the County to place civil service competitive positions on a County-wide preferred list in such competitive class position for a period of 4 years following the employees' date of layoff from the County. He said this item confirmed what the employees' rights were under the Civil- Service Law. He reported that Item No. 5 guaranteed employees who were not in civil service competitive class positions an interview for positions within the County that they applied for, as long as they met the minimum qualifications for the positions with the same civil service job classification.

Mr. Paltrowitz apprised that Item No. 6 stated that the MOA satisfied the County's obligation to engage in impact bargaining with CSEA regarding the impact on the bargaining unit employees resulting from the transfer of the Facility to Centers Health Care and the resulting separation of employment from the County. He mentioned Item No. 7 was the provision that stated the MOA was subject to approval of the Warren County Board of Supervisors. He commented he strongly recommended the MOA be approved at today's Board meeting. He mentioned the CSEA representatives expressed their satisfaction with the outcome of the negotiations. He reported that although there had been difficulties during the process, he felt the negotiations had been handled in a very professional, positive manner. He added he had been informed that the MOA had been deemed favorable by the 78 bargaining unit employees of the Facility. He reiterated he believed the MOA was fair to the employees of the Facility while being fiscally

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responsible to the County, as well. He thanked Chairman Geraghty, Paul Dusek, *County Administrator*, Martin Auffredou, *County Attorney*, and Jackie Figueroa, *Executive Assistant to the Human Resources Director*, for their assistance with the negotiation process. He added the County would have successfully completed impact negotiations with the CSEA over the transfer of the Facility once this document was approved by the Board of Supervisors.

There being no questions for Mr. Paltrowitz with respect to the MOA document, Chairman Geraghty stated a motion was needed to bring the un-numbered resolution previously distributed to the floor. The motion was made by Supervisor Dickinson, seconded by Supervisor Kenny and carried unanimously; Chairman Geraghty advised this would be proposed Resolution No. 282.

Moving on to the report by the Chairman of the Board, Chairman Geraghty read aloud the listing of meetings he had attended since the April Board Meeting; *a copy of the Chairman's Report is on file with the items distributed at the Board Meeting*. Regarding the impact negotiations with the CSEA, he stated he was pleased that the employees were agreeable to the terms of the MOA. Chairman Geraghty then called for reports from Supervisors on the past months meetings or activities.

Supervisor Taylor indicated that the Personnel Committee had met on May 6th, approving proposed Resolution Nos. 263-267, all of which were included in the resolution packet. He apprised that Resolution No. 263, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2015*, related primarily to salary changes in the Public Defender's Office, but also deleted a position within the Sheriff's Corrections Division which had been vacant for several years. He stated that Resolution No. 264, *Waiving Section I.B.3 of the Warren County Travel Policy Relating to the GSA Rate for the Warren County Personnel Officer to Attend the 2015 Annual Civil Service Training Seminar*, was necessary because the room rate for the conference exceeded the authorized GSA (General Services Administration) Rate. He congratulated Marcy Flores on her appointment to Public Defender effective July 1, 2015, as stated by Resolution No. 265, *Appointing Marcy Flores as Public Defender*, due to the retirement of John Wappett. He thanked Mr. Wappett for his years of service to the County and wished him well in his retirement. He advised that a referral received from the Health Services Committee resulted in proposed Resolution No. 266, *Ratifying the Actions of the Chairman of the Board of Supervisors in Executing Attachment C- Direct Care COLA Reimbursement Request for Women, Infants and Children (WIC) Employees to Receive Cost of Living Adjustment (COLA) Funds for Providing Direct Care Services and Authorizing a Side Letter with the Civil Service Employees Association (CSEA) for the Employees to Receive COLA Funds*. Resolution No. 267, *Approving the Warren County Payroll Rules Policy*, Supervisor Taylor said, was intended to clarify and standardize procedures. He reported that Resolution No. 279, *Introducing Proposed Local Law No. 5 of 2015 and Authorizing Public Hearing Thereon*, related to the separation of the Human Resources and Civil Service Administration Departments.

Supervisor Kenny advised the Occupancy Tax Coordination Committee met on April 30th to receive an update from Elizabeth Mahoney, *Legal Counsel for the Adirondack Civic Center Coalition*, with respect to their efforts thus far, as well as those for the future. He said Ms. Mahoney had indicated their first trial had been the Godsmack concert held on May 6th, which he noted was a success. He reported the Committee approved a voucher from the Coalition in the amount of \$103,600. He apprised the discussion regarding the occupancy tax collected by room remarketers, such as Orbitz, Expedia, etc., would continue at next months Committee meeting. He added they awarded occupancy tax funding in the amount of \$6,000 from the Tourism Special Event Discretionary Fund to Robert Blais, *Mayor for the Village of Lake George*, for the Arlo Guthrie concert scheduled to be held at the Festival Commons.

Supervisor Frasier advised the Human Services Committee had met on April 24th approving proposed

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Resolution Nos. 240, *Ratifying the Actions of the Director of the Office for the Aging in Applying to the New York State Office for the Aging for Medicare Improvements for Patients and Providers Act (MIPPA) /Aging & Disability Resource Center (ARDC) Funding*, and 241, *Authorizing the Submission of Grant Application to New York State Office for the Aging for Balancing Incentive Program (BIP) Funding*, for the Office for the Aging. She stated proposed Resolution Nos. 238, *Authorizing Agreement with Saratoga-Washington-Warren-Hamilton-Essex Board of Cooperative Educational Services (BOCES) for Summer Youth Employment and Training*, and 239, *Authorizing the Designation of Saratoga-Warren-Washington Counties as the Geographic Area for the Implementation of a New Local Workforce Development System and Authorizing Execution of Agreements and/or Other Related Documents Therefor*, related to requests from the Employment & Training Administration. She noted the Committee had also approved a request to host the Saratoga-Warren-Washington Workforce Investment Board meeting at SUNY Adirondack on June 3rd. She reported the Workforce Investment Act (WIA) was being removed on June 30, 2015 and was being replaced with the Workforce Innovation Opportunity Act. She noted this was the first piece of the required regulations that had been received.

Supervisor Simpson reported on the April 24th meeting of the Social Services Committee, noting that it was a rather short meeting. He said they approved a request to fill the vacant position of Caseworker #29 in the Child Protective Services Unit at an annual base salary of \$39,004, due to a resignation effective May 1, 2015. He stated the Committee also approved a request to appoint Autumn Burns, of Lake Luzerne, New York, as Youth Representative to the Youth Bureau. He added that two travel requests were approved at the meeting, as well.

Supervisor Vanselow advised the Support Services Committee had met on May 6th, approving proposed Resolution Nos. 259, *Amending Resolution No. 211 of 2007 which Instituted the Fee Schedule for Information Requested from the Board of Elections*, and 260, *Adopting the Information Technology Security Camera Access Policy with Revisions Provided by the County Attorney*. He explained that the Security Camera Policy dealt with live access and archived storage of the data.

Supervisor Dickinson apprised he had just returned from an 11-day trip to Portland, Oregon, where he had been visiting his family. He reported the Criminal Justice Committee had met on April 27th and approved proposed Resolution No. 230, *Authorizing Extension Agreement with Gov Paynet (f/k/a Government Payment Services, Inc. for Warren County Probation Department*. He mentioned the Criminal Justice Committee oversaw the District Attorney's Office, Probation Department, Public Defender's Office and Assigned Counsel. He acknowledged the years of service Mr. Wappett had contributed to Warren County and wished him well in his retirement. He suggested the Committee approve Ms. Flores' appointment as Public Defender, as he felt strongly after listening to her qualifications and experience that she was more than qualified to assume the position upon Mr. Wappett's retirement.

Supervisor Merlino reported the Public Works Committee had met on April 27th, approving proposed Resolution Nos. 249-258, all of which were included in the resolution packet and pertained to fairly standard matters. He noted upon the request of the Saratoga and North Creek Railway (SNCR), proposed Resolution No. 249, *Authorizing the Saratoga and North Creek Railway, LLC to Move the County Owned Boston and Maine Caboose No. 482 located at the Riparius Station to the Thurman Station*, had been approved. Supervisor Merlino mentioned that proposed Resolution No. 262, *Authorizing the Submission of Grant Applications to the New York State Governor's Traffic Safety Committee to Provide Funding for the Traffic Safety Initiatives*, was approved at the May 4th meeting of the Traffic Safety Board. He commented that Patti Miller, *Stop-DWI Coordinator/Executive Secretary to the Traffic Safety Board*, had done an exceptional job with both growing and improving the program. He mentioned Ms. Miller had been nominated by the Governor to become a member of the New York State Governor's Traffic Safety

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Board. Supervisor Merlino stated that the Tourism Committee had met on April 30th, approving proposed Resolution No. 261, *Awarding Bid and Authorizing Agreement with Trampoline Design, LLC to Create Interest in Warren County as a Four-Season, Multi-Faceted Destination through Social Media Platforms, Blogs, Videos, Etc. and by Interacting, Attending Events/Functions and Developing County-Wide Relationships (WC 31-15) for the Tourism Department.* He apprised that he, Kate Johnson, *Director of Tourism*, Julie Butler, *Purchasing Agent*, and Peter Girard, *Creative Director for the Tourism Department*, had reviewed the 5 proposals independently and had each determined that Trampoline Design, LLC would provide the best value on a County-wide basis. He noted that Trampoline Design, LLC was a local company, as their office was located in the City of Glens Falls. He said the summer television campaign had commenced on Monday, April 27th and the April edition of the Group Loop Newsletter had been distributed, as well. He reported that representatives from the Tourism Department had attended the Empire State Tourism Conference in Albany, New York, the Escape Maker Food & Travel Expo in Brooklyn, New York and the Third Annual Adirondack Day in Albany, New York and they would be attending the upcoming New York by Rail event at Penn Station. He pointed out the new website for the Tourism Department was in place and suggested that everyone review it at their convenience.

Supervisor Merlino announced with regret that he had just received notification from Ms. Johnson that she would be retiring effective July 1st. He said Ms. Johnson had been with the County for 25 years, all of which had been with the Tourism Department. He commented he had the pleasure of working with Ms. Johnson for several years and he stated she would sincerely be missed. Supervisor Merlino indicated they would discuss the next steps for the Tourism Department at the next Tourism Committee meeting.

Chairman Geraghty advised that after the April 17th Board Meeting he had sent a letter to Governor Cuomo regarding concerns expressed by the Supervisors pertaining to the deteriorated conditions of some of the State Roads located in Warren County. He said he, as well as other Supervisors who had expressed these concerns, had received a response from a representative of the NYSDOT (*New York State Department of Transportation*); Chairman Geraghty asked that anyone who had not received this communication get in touch with him so he could pass along their concerns. He added he had received responses from Assemblyman Stec and Senator Little, as well. He reported the NYSDOT would be paving Ridge Road (*State Route 9L*) in the Town of Queensbury, a section of State Route 418 in the Town of Warrensburg, and State Routes 9N and 8 in the vicinity of the Towns of Johnsburg and Chester.

Supervisor Strough stated he had nothing to report, but would like to mention that representatives from the NYSDOT did contact him after the April 17th Board Meeting and they were in the process of working on improvements to Route 9L in the Town of Queensbury. He applauded the NYSDOT for their quick response to issues with Route 9L which had only been identified recently. Continuing, he thanked "Team Warren County" for participating in the Literacy for New York fundraiser, which took place at the Towers Café located in the City of Glens Falls. He commented that the fundraiser had been a success and he noted Team Warren County had consisted of Mrs. Allen, Sarah McLenithan, *Deputy Clerk of the Board*, Bud York, *Warren County Sheriff*, and Warren County residents Dan Kane and Matthew McDonald, as well as Assemblyman Stec, himself and Supervisors Brock and Seeber; he added that he believed the team had done a stellar job. He mentioned Assemblyman Stec had come up with the word "squeezebox" which had been strategically placed on the board to maximize the number of points received for it. He apprised that he enjoyed the event tremendously and was looking forward to next year's event. Finally, Supervisor Strough noted he had attended the graduation ceremony for SUNY Adirondack at the Glens Falls Civic Center and he commended Supervisor Seeber for the speech she made to the graduates.

Supervisor Seeber reported that she was honored to represent the Board at the SUNY Adirondack

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graduation ceremony held on the prior evening. She mentioned the first of what she hoped would be an annual Certificate of Excellence had been presented to both a Warren and Washington County student; she added that this year's recipient of the award from Warren County was Nicholas Harding, whom she hoped would be attending the June 19th Board Meeting to receive this honor in front of the entire Board. She said every student had obstacles to overcome in completing their education and she commented it had been an honor to represent the Board at the ceremony, congratulate the Warren County residents who were graduating, remind them they had a place to come home to and encourage them to participate with local not-for-profit agencies or government entities. She apprised she had extended an invitation to the graduates from Warren County to attend the June 19th Board Meeting and noted she was hopeful some of them would attend. Supervisor Seeber advised she had attended the last meeting of the County Jury Board where Judge Krogmann's had requested she pass along to the Supervisors how grateful he was to Chairman Geraghty and Supervisor Girard for the progress they had made with the Court Space Expansion Project. She said he indicated he was pleased with the project thus far and had no complaints. She relayed Judge Krogmann's indications that he wished the OCA (*Office of Court Administration*) had seen the useful life of the suggestions that were put forth, but regretfully they had not. Concluding her report, Ms. Seeber advised that on Sunday she would have the privilege of presenting her son with a Certificate of Recognition for his Eagle Scout accomplishments on behalf of the Board. She commented she hoped they continued to see more Eagle Scouts reach out to the Board to ask for their involvement in providing such recognition; she added that Supervisors Brock and Strough would be in attendance at Sunday's ceremony, as well.

Supervisor Sokol apprised that the Health Services Committee had met on April 24th where a very light agenda had been reviewed; therefore, he stated, he had nothing to report on.

Supervisor Beaty advised he had nothing to report, but would like to acknowledge Supervisor Strough for inviting all of the Supervisors from the Town of Queensbury and the City of Glens Falls to walk in the Glens Falls/Queensbury Memorial Day Parade on May 25th.

Supervisor Westcott stated he had attended the Crime Victims' Rights Breakfast ceremony hosted by the Warren County District Attorney's Office at the Queensbury Hotel. He noted Kate Hogan, District Attorney, had graciously acknowledged Supervisors Taylor, Kenny, Monroe and himself for the work they had performed as elected officials, since they were not seeking re-election.

Supervisor Thomas reported on indications made by the County Treasurer that the County was in good financial standing. He stated during their meeting they had discussed the article featured in *The Post Star* regarding the County's fund balance which had inaccurately reported that the Fund Balance was \$19 million when it was actually closer to about \$15 million. He recognized the Department Heads and employees for being fiscally responsible by remaining within their planned departmental budgets as this assisted the County with having a rather significant amount of money available in the Fund Balance.

Supervisor Wood mentioned the Public Safety Committee had met on April 27th, approving proposed Resolution Nos. 243-248, all of which were included in the resolution packet and pertained to fairly standard matters. She welcomed Mrs. Allen to her new position as Clerk of the Board, noting this was her first Board Meeting serving in that capacity. Finally, she concurred with Supervisor Kenny's comments from earlier that the Godsmack concert at the Glens Falls Civic Center had been a success and was managed properly by the Coalition.

Supervisor Conover advised the Finance Committee had met on May 6th, approving proposed Resolution Nos. 268-277, all of which were included in the resolution packet. He commented proposed Resolution

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No. 278, *Authorizing the Warren County Government Efficiency Plan which Shall Include a Cooperative Purchasing Plan, Warren County Efficiencies and/or Savings from the Sale of the Nursing Home and Adding Thereto Any Efficiency Project(s), Shared Service(s) or Cooperation Agreement(s) Identified by the County Administrator or Local Government in Warren County Participating in the Warren County Efficiency Plan and Authorizing County Officials to Take Certain Actions and Make Certain Representations and Certifications*, did not go through the typical Committee review process. He encouraged the Towns that intended on participating in the plan to forward their information to the County as soon as possible, as the June 1st deadline was quickly approaching. He said their goal was to have an efficiency plan submitted to the State in order to meet the mandated June 1st deadline; however, he added, once this plan was in place they intended to begin exploring whether the abundance of other opportunities that had been submitted to them were viable cost sharing options which could be implemented under the efficiency plan.

Supervisor Monroe informed that he had not been contacted by the NYSDOT about the condition of the State Roads located in the Town of Chester. He apprised this past Saturday three comedians performed at the Carol Theatre in Chestertown, one of whom had jokingly questioned whether State Route 8 would be paved in light of the deplorable road condition. Chairman Geraghty pointed out the NYSDOT had notified him that State Route 8 was one of the roads they planned on making improvements to.

Supervisor Monroe reported that the Park Operations & Management Committee had met on May 13th where they had learned that the perimeter fence for the Festival Commons was almost complete and would be in place for the events scheduled there this year. He advised that upon the request of Mayor Blais, the Committee had approved Resolution No. 280, *Authorizing the Appropriation of Funds from Deferred Revenue-Gaslight Village Parking Fees to Gaslight Village Property Budget; Amending 2015 Warren County Budget*. He explained that because the restrooms for the Festival Commons would not be completed in time for the Americade event, they had requested that the County supply 8 of the 16 port-a-johns required for the event at a cost of \$800. In regards to an update on the Adirondack-wide Invasive Species Prevention Plan, Supervisor Monroe stated he was pleased to report that the Town of Chester had awarded the bid for a boat washing station on Schroon Lake, which would be the same type of system used by the Lake George Park Commission. He stated there was an agreement in place between the Towns of Chester, Horicon and Schroon to pay the cost of operating the station. He noted this station was in addition to the 9 boat wash stations the NYSDEC (*New York State Department of Environmental Conservation*) planned on staffing Adirondack-wide, which should be in place within the next few weeks. He said they had made some progress in their discussions with State representatives regarding the Middleton Bridge (*County Route 10*) over Schroon River. He advised there was ongoing discussion with the State Legislature and the NYSDEC about a possible constitutional amendment that would allow for the use of forest preserve land by local governments and public utilities for roads and bridges.

Supervisor Monroe reported that there had been discussion at the APA (*Adirondack Park Agency*) meeting yesterday about emergency regulations which would allow for emergency work during hurricanes or other natural disasters; he added that the emergency regulation requirements discussed would include storms or natural calamities that any form of government needed to deal with and Federal and State emergency declarations. Supervisor Monroe stated that he argued that the emergency declaration should include local government, but the counter argument was that local government was covered by the first requirement. He commented his concern was that the APA could determine an occurrence was not an emergency. He mentioned the discussion would be continuing today and he was hopeful they would make the proper adjustment to include local government.

Supervisor Girard reported that the County Facilities Committee had met on April 28th, approving

proposed Resolution Nos. 231-235. In regards to the solar project for Cornell Cooperative Extension and Countryside Adult Home, Supervisor Girard advised they interviewed three of the respondents to the RFP (*Request for Proposal*); he added that CPL (*Clark Patterson Lee*) was independently reviewing the RFP respondents. He mentioned there were other opportunities that were explained to them, such as building the structures on the flood plain that was located on the property. He said although there were additional costs associated with building on the flood plain, the benefit was that the panels would be tilted to better capture the sun's rays than if they were fixed panels located on a roof. He mentioned they were processing all of the information provided to them by the respondents and narrowing the scope of candidates. He stated he believed they may re-interview two of the respondents to see how they would address narrowing the project down to make it more efficient and beneficial for Cornell Cooperative Extension and Countryside Adult Home. He noted that even if the project were to move forward today, it would not be completed in time for the winter season because of the applications and scheduling that were required.

In regards to the Court Space Expansion Project, Supervisor Girard commented he appreciated the report the County Treasurer provided to the Finance Committee on May 6th regarding the financing for the project. He commended the work put forth by Mr. Dusek, Mr. Auffredou, Mike Swan, *County Treasurer*, and Mr. Paltrowitz in preparing Resolution No. 275, *A Resolution Authorizing the Issuance of \$16,500,000 Serial Bonds of Warren County, New York for the Construction of Additions for the Court Expansion, the Construction and Reconstruction of Existing Court Facilities, Site Improvements, Acquisition of Original Furnishings, Equipment, Machinery, and Apparatus Required for the Purposes for which such Buildings are to be Used, and Survey, Plans, Designs, Specifications, Estimates, Grading, and/or Improvements of the Site at the Warren County Municipal Center in Warren County, New York*. He commented that Mr. Swan had done an exceptional job in determining how to move forward with the financing to ensure that a lower interest rate was achieved.

Supervisor Girard advised that approval was required from the OCA on the final concept of the Court Space Expansion Project that was outlined in Resolution No. 276, *Approving the Final Concept Plan of the Warren County Municipal Center Court Expansion Project; Making Determination of Non Significance Under the State Environmental Quality Review Act ("SEQRA") and Authorizing Clark Patterson Lee to Proceed with Tasks 4 through 8 for the Project*". He stated that he anticipated the OCA Facilities Capital Review Board would meet in the next few weeks to provide their formal approval of the concept plan, which would not have been feasible if the architect from the OCA had not provided his seal of approval for the plans. He apprised that modifications for temporary measures would be required in order to accommodate the additional Family Court Judge and their staff until the project was completed. He commented they planned on moving forward with the project rather quickly once final approval was granted from the OCA Facilities Capital Review Board. He added some of the work required for the temporary measures was structural and was part of the final project; therefore, he noted, this was not a duplication of services. He mentioned he would notify the Board of any changes and/or modifications that arose as the project moved forward. He acknowledged the local Court staff for the assistance they had provided to the County as they proceeded along with the project.

Mr. Dusek commented that he believed this was one of the most coordinated projects he had been involved with during his years of service to the County and he said he felt the project was progressing at a rapid pace.

Mr. Auffredou apprised that Resolution No. 276 not only approved the final concept plan for the Court expansion, but also completed the SEQRA (*State Environmental Quality Review Act*) process that had commenced in December of 2014. He stated that Part 1 of the Environmental Assessment Form included the concept that the County would be bonding the project. He continued, Part 2 of the

Environmental Assessment Form, which was prepared by CPL and reviewed by himself, had identified relevant areas of environmental concern and what type of impact they had. He commented he believed CPL did an exemplary job of addressing why the small to moderate environmental impacts they identified should not prevent the project from moving forward. He explained that the proposed resolution was authorizing a negative declaration under SEQRA, as well as the bonding concept that would be authorized through a separate resolution. He added the proposed resolution also authorized CPL to proceed with Tasks 4-8 for the project. He noted that once this resolution was adopted, no further SEQRA work would be required. He pointed out when municipalities took on such large projects it was common practice for them to hire special expert bond counsel, which Mr. Paltrowitz was serving as in this case.

Mr. Paltrowitz stated that proposed Resolution No. 275 related to the \$16.5 million serial bond for the court project. He advised as he previously stated at the May 6th meeting of the Finance Committee, although the total projected cost for the project was \$16.1 million, bonding in the amount of \$16.5 million would allow for some cushion should unanticipated costs arise. He explained while it would not be permissible to exceed the amount of the bond, it was acceptable to expend less than \$16.5 million on the project. He commented he felt it was imperative to move the project forward as soon as possible so they could lock in a lower interest rate for the serial bond since it had been forecast that interest rates would be increasing within the foreseeable future. He apprised all of the modeling he had reviewed for the financing of the project required a 20-year maturity repayment; therefore, he said, it was well within the 25-year useful life scope identified for the project. He mentioned there had been discussion regarding bonding the \$8 million projected for the construction phase as soon as possible in order to take advantage of the lower interest rates along with some short-term financing until the final project cost had been determined. He indicated once the proposed resolution was adopted approving the \$16.5 million serial bond for the project a Legal Notice of Estoppel would be published. He continued, if there was no objection to serial bond within 20 days from the date of publication then they could proceed with the financing.

Mr. Auffredou pointed out proposed Resolution Nos. 275 and 276 were companion resolutions, as they related to each other. He emphasized that proposed Resolution No. 276 completed the SEQRA process. He commented he was more confident with the SEQRA review CPL had completed on this project than any other form he had ever reviewed throughout his municipal career. He stated he felt the Board should feel that the SEQRA process for this project had been very thoroughly analyzed to ensure it was completed correctly.

Supervisor McDevitt reported that the Hike for Hope fundraiser was scheduled for Sunday, May 17th on Prospect Mountain in the Town of Lake George. He said more than 200 people participated in last year's event, raising over \$20,000. He mentioned the effort was to raise awareness on suicide, which was a significant issue.

Chairman Geraghty advised that there would be Memorial Day Parades taking place in several Towns, which he felt was an appropriate way to honor Veterans. He thanked Supervisor Beaty for informing the Board of the Glens Falls/Queensbury Memorial Day Parade. Supervisor Strough added this was the 16th year for the Glens Falls/Queensbury Memorial Day Parade, which would be held at 10:00 a.m. on May 25th. He invited all Supervisors to participate in the parade and he noted that he had coordinated the parade with assistance from Colleen Tarrantino, *City of Glens Falls Coordinator*. He mentioned the meeting place for anyone wishing to participate was in front of the TD Bank North Drive In on Maple Street in the City of Glens Falls at 9:30 a.m. He apprised the theme for the parade this year was "They Gave Their Lives for Their Country".

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Privilege of the floor was extended to Mr. Dusek to provide the report by the County Administrator. Mr. Dusek apprised, as mentioned by Supervisor Conover, the most important upcoming issue pertained to the efficiency plan submission by Warren County to the State of New York. He noted his staff required resolutions from the towns that were participating with the County on the plan. He indicated it was imperative they receive copies of those resolutions as soon as possible, as the June 1st deadline was fast approaching. He reported that he and his staff, as well as the Purchasing Agent, had put in a great deal of effort working on the combined purchasing plan. He commented he was confident that the cooperative purchasing plan would save money for all of the municipalities participating since there was evidence of this. He apprised a difficulty they had run into was coming up with what the actual savings would be in a monetary form, as this was a requirement set forth by the State. He pointed out, the State wanted to ensure the plan demonstrated the amount of savings to each municipality. He noted his staff had started requesting information relative to the status of his prior requests for information regarding shared services, efficiencies and commodities information. Mr. Dusek stated this information was extremely important for the County to be able to submit a combined efficiency plan; he encouraged the Supervisors to have their staff respond to the requests as soon as possible. He advised the plan was to compile all the information provided to them next week and then determine the monetary value of the savings established under the combined purchasing plan. He mentioned his office was entering the information as it became available to submit to the State. He continued, they would also be gathering the resolutions from the Towns that were participating in the plan, as well as the certifications that stated the savings computed by the County were accurate. He commented it was imperative that the Supervisors were comfortable with certifying the figures presented to them by the County were accurate. He said a certification by Mr. Swan was required after the Towns had confirmed that the savings calculated for the efficiency plan were accurate. He apprised his staff was also asking questions regarding the savings relating to the shared services plans some of the Towns had submitted to them. Mr. Dusek emphasized the importance of getting all the information and certifications to his staff as soon as possible so the plan could be finalized and ready for submission prior to the June 1st deadline. He commented he felt the Towns would be pleased with the savings they would realize as the efficiency plan developed. Mr. Dusek indicated once the plan was submitted to the State they could begin to concentrate on the other areas that Supervisors had expressed interest in exploring.

Mr. Dusek reported that he no longer required temporary assistance for the Mail Room and Print Shop, which he had previously requested and was approved by both the Support Services and Personnel Committees. He explained that the individual who had been out on disability leave had since returned to work full-time; therefore, he concluded, temporary assistance was no longer required.

Mr. Dusek advised he and Chairman Geraghty had attended a meeting yesterday with Senator Schumer's Office regarding a matter that was currently pending before the Transportation Board. He explained that Norfolk Southern Railway Company was being considered for the purchase of part of the old D&H Railroad track that was owned by Canadian Pacific Railway, which stretched from Sunberry, Pennsylvania to Schenectady, New York. Mr. Dusek stated this portion of the railway was of interest to SNCR for freight purposes. He said SNCR was seeking to ship freight from the Tahawus Mines to the New York City region, as well as to the southern states. He mentioned the significance of this purchase was that Norfolk Southern Railway had trackage rights into Saratoga, which SNCR had rights into, as well. Mr. Dusek indicated the difficulty in moving the freight had been with the interchange at Saratoga between Canadian Pacific Railway, SNCR and Norfolk Southern Railway. He apprised they were optimistic that the Transportation Board would support the request from SNCR that they be permitted to have a direct connection in Saratoga to Norfolk Southern Railway. Mr. Dusek mentioned the importance of this matter related to providing a good connection so that businesses located in northern Warren County could move their freight south via SNCR, which would provide the businesses with a cost savings, as well as generate additional revenue for SNCR. He noted the County

relied on SNCR as an economic development and tourism enhancement tool for the communities located in the western portion of the County. He added securing freight transportation would assist with offsetting some of the revenue needs that SNCR had to enable the passenger/tourism train to continue to operate. He stated unless anyone had any particular objections, Chairman Geraghty would be issuing a letter of support for SNCR to have a direct connection to the Norfolk Southern Railway.

Supervisor Dickinson apprised due to his absence, his office had been unable to provide the information requested by Mr. Dusek for the efficiency plan, but he noted they would forward it within the next week. He acknowledged Mr. Dusek and his staff for the exceptional job they were doing putting together the efficiency plan.

Supervisor Monroe questioned whether participating with the County on the shared purchasing plan would bind the Towns to purchasing items through the County, as this had been a concern expressed by members of the Chester Town Board, and Mr. Dusek replied in the negative. He explained the only areas that would be bound by the agreement were the instances that were utilized to show savings. Mr. Dusek reported there would be some form of a commitment required because right now the Towns were purchasing items on their own; however, he said, with the commodities agreement the bulk of their items would be purchased through the County to demonstrate the savings illustrated in the efficiency plan. He reiterated the Towns would only be required to purchase items in some areas where commodity savings could be displayed. Mr. Dusek commented that the goal was to have a centralized purchasing operation in place that was extremely beneficial to all participants.

Supervisor Monroe pointed out that some of the figures generated would be estimates since the amount of savings was dependent on a number of factors. As an example, he said, the contract for the solar project for the Town of Chester stated they had three different percentage savings depending upon the type of meter used. He continued, the savings would be impossible to compute on this contract since the rates on the grid changed on a regular basis. Mr. Dusek apprised he was aware that certain circumstances would require estimates; therefore, he recommended utilizing the more conservative figure as the figure the Towns felt they could achieve. He explained for auditing purposes it was important for the Towns to be in a position to demonstrate how they calculated the figures. Mr. Dusek added it was not necessary to maximize the savings in each instance, as enough savings could be achieved County-wide to validate the plan. He mentioned once the plan was finalized he would review it with the full Board, as he believed it would demonstrate to the public how substantial savings would be realized on a County-wide basis. He noted because they had already commenced working on an efficiency plan to realize savings, the process to achieve what the State was requiring had been rather seamless.

Supervisor Conover mentioned there were a number of municipalities considering the movement from rock salt to Clearlane Enhanced Deicer. He said having the towns purchase Clearlane Enhanced Deicer through the County may assist them in obtaining it for less than if the municipality were to purchase it on their own. He noted that Clearlane Enhanced Deicer was more environmentally friendly than rock salt and required less of an application. Supervisor Conover advised that after June 1st they would begin exploring some of the other topics suggested such as animal control, shared assessment services, etc.

Supervisor Westcott advised the issue he had with the efficiency plan was the inclusion of the sale of Westmount Health Facility, as he felt this had no bearing on cooperative purchasing to save money on commodities. He questioned how the sale of the Facility would be positioned within the plan. Mr. Dusek explained that when the information was set forth to the State there would be different categories, such as shared services, cooperative agreements, mergers and efficiencies. He continued, efficiencies could include such things as selling the nursing home, the solar project the City of Glens Falls was

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undertaking, etc. Mr. Dusek said each efficiency was identified separately and therefore the sale of the nursing home would be independently identified.

Privilege of the floor was then extended to Mr. Auffredou to provide the report by the County Attorney. He pointed out not only would proposed Resolution No. 279 introduce proposed Local Law No. 5 of 2015 and authorize a public hearing at the June 19th Board Meeting, as outlined by Supervisor Taylor, it also separated the Human Resources and Civil Service Administration Departments from one another. He said the two Departments would continue to share the same office space to ensure “one stop shopping” for Department Heads, employees and the public. Mr. Auffredou stated that he reviewed Local Law No. 1 of 2014 and clarified the duties of the Personnel Officer and Human Resources Director to set forth clearly in proposed Local Law No. 5 of 2015. He mentioned although the two Departments would be separate, they would work together in a collaborative fashion. He apprised language he used to depict this in the proposed local law was as follows: *“the two departments shall independently administer their defined functions and duties as prescribed herein but shall work collaboratively to promote, administer and provide efficient and effective human resource and personnel services to Warren County, its departments and employees”*. Mr. Auffredou noted upon the suggestion of the County Administrator he added to the proposed Local Law that the County Human Resources Director would be available to provide services for other Warren County local governments if directed by resolution of the Board of Supervisors. He stated no action would be taken on the proposed local law today, other than scheduling the public hearing for June 19th. He added that aside from the changes he had mentioned, proposed Local Law No. 5 of 2015 would look similar to Local Law No. 1 of 2014.

Continuing, Chairman Geraghty called for the Reading of Communications, which Mrs. Allen read aloud, as follows:

Minutes from:

- Warren/Washington Counties Industrial Development Agency and its Executive/Park and Nominating Committees;

Financial Reports/Correspondence from:

- Capital District Regional Off-Track Betting Corp, January 31, 2015 Financial Report;
- Capital District Regional Off-Track Betting Corp, February 28, 2015 Financial Report;
- Capital District Regional Off-Track Betting Corp, March 31, 2015 Financial Report;
- Capital District Regional Off-Track Betting Corp., Audited Financial Statements for year ended December 31, 2014;
- Capital District Regional Off-Track Betting Corp., Audited Financial Statements for year ended December 31, 2013; and
- Letter from Mrs. Allen appointing Sarah McLenithan as Deputy Clerk of the Board effective May 1, 2015.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 227-279 were mailed and a motion was needed to bring proposed Resolution Nos. 280 and 281 to the floor. The necessary motion was made by Supervisor Girard, seconded by Supervisor Simpson and carried unanimously. *Note: Proposed Resolution No. 282 was brought to the floor by a motion made earlier in the meeting.*

Chairman Geraghty called for discussion and public comment on resolutions, noting that they would begin with comments by Supervisors, following which any public comment would be heard.

Supervisor Girard requested roll call votes on Resolution Nos. 231, *Authorizing Agreement with C&S Companies, Inc. to Provide Professional Engineering Consulting and Technical Support Services for the Runway 1-19 Extension Environmental Assessment and Preliminary Engineering Phase III*, and 276,

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Approving the Final Concept Plan of the Warren County Municipal Center Court Expansion Project; Making Determination of Non Significance under the State Environmental Quality Review Act ("SEQRA") and Authorizing Clark Patterson Lee to Proceed with Tasks 4 through 8 for the Project".

Supervisor McDevitt requested a roll call vote on Resolution No. 278, *Authorizing the Warren County Government Efficiency Plan which shall Include a Cooperative Purchasing Plan, Warren County Efficiencies and/or Savings from the Sale of the Nursing Home and Adding Thereto any Efficiency Project(s), Shared Service(s) or Cooperation Agreement(s) Identified by the County Administrator or Local Governments in Warren County Participating in the Warren County Efficiency Plan and Authorizing County Officials to Take Certain Actions and make Certain Representations and Certifications.* He explained that he was uncomfortable with including the sale of the nursing home with the government efficiency plan; therefore, he would be voting in opposition of it.

Supervisor Dickinson commented he felt the OCA had made a serious mistake when they scaled back the original proposal for the Court Space Expansion Project, as he believed the original plans adequately addressed the future needs for the Courts as evidenced by the increase in case loads. He noted although he was disappointed with the fact that the square footage of the original plans had been reduced, it would not prevent him from voting in favor of proceeding with the project since he was aware of the necessity for it.

Supervisor Westcott reported in his continued disapproval of the Runway Expansion Project and he said he planned to vote in opposition of proposed Resolution No. 231, *Authorizing Agreement with C&S Companies, Inc. to Provide Professional Engineering Consulting and Technical Support Services for the Runway 1-19 Extension Environmental Assessment and Preliminary Engineering Phase III.* He advised because of the substantial cost associated with the bond for the Court Space Expansion Project, which the County Treasurer estimated to be over \$20 million, he would be voting in opposition of Resolution Nos. 275 and 276, as well. He mentioned he believed there were other alternatives available that would save County taxpayers a significant amount of money.

Mr. Dusek interjected clarification in relation to his previous remarks regarding the efficiency plan, explaining that while the efficiencies would be listed separately, the total amount of savings from all efficiencies would be calculated. He said this meant the total amount was used to demonstrate savings for all participants. He explained the tax levies for the municipalities participating in the plan were added up for 2014 and a percentage was utilized to calculate the total savings of the plan. He pointed out one benefit to the Towns was that if they were unable to achieve the total amount of savings required by the State on their own, they could do so by participating with the County's plan. Mr. Dusek indicated that while the Westmount closure factor would be listed in the plan separately, the associated savings would be included in the cumulative total for all efficiencies.

Supervisor Westcott stated he wanted to make it clear that the total figure was not representative of the types of programs that would impact commodity savings. He said he felt it should be apparent there were things within the plan outside of that definition so there was no misrepresentation of what the total figure entailed. Mr. Dusek interjected that each and every item would be listed with its projected savings. He continued, the total was calculated by adding all of the projected savings together. Supervisor Westcott questioned whether this meant that there would be a total savings for all of Warren County which was then broken down by category and Mr. Dusek replied affirmatively.

Supervisor Dickinson asked Mr. Dusek whether he was aware that the Village of Lake George was slightly short of the savings they were required to meet and Mr. Dusek replied in the negative. Supervisor Dickinson advised the Village was under the impression they were required to come up with

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a savings of \$18,000; however, he said, they were only able to derive a savings of \$15,000 and were therefore requesting assistance making up the shortfall. Mr. Dickinson questioned whether it was even necessary for the Village to come up with the shortfall and Mr. Dusek replied that they would be covered under the plan for the County and therefore would not be required to come up with any additional savings. Supervisor Dickinson requested that Mr. Dusek contact the Village of Lake George to ensure they were properly informed on the process.

Chairman Geraghty pointed out the shared services agreement that the Town of Warrensburg had with the Town of Chester for shared assessment services met the requirements set forth by the State if they did not want to participate in the County plan; however, he said, they had opted to participate. He suggested any Supervisors who made purchases through W.B. Mason double check to ensure they were paying the prices based upon the County bid, as he had recently learned that his Town was not.

Supervisor Dickinson noted that the Town of Lake George had met the requirements on their own with the cost sharing services they participated with the Village of Lake George on; however, he said, they had opted to participate in the County plan, as well. He re-stated the Village of Lake George was concerned they had not met the monetary requirements in regards to savings set forth by the State. Mr. Dusek advised the instructions for the savings were very concise as it related to joining together as a group. He reiterated that the State was reviewing the total savings against the total tax levy.

Supervisor Merlino acknowledged Mr. Dusek and his staff for the effort they had exerted toward the County efficiency plan. He noted sales representatives would not offer County pricing on items unless it was specifically requested, which he felt was deceiving. Chairman Geraghty advised participating in the County purchasing plan had the potential to reduce prices because the quantity of certain items purchased would increase.

Travis Whitehead, *Town of Queensbury Resident*, advised he would like to address proposed Resolution Nos. 282 and 276 as he had similar concerns with them relating to the length of time the Supervisors and the public had to consider information presented before the Board voted which was extremely limited. He noted proposed Resolution Nos. 227-279 were posted online three days prior to the meeting and proposed Resolution Nos. 280 and 281 were posted two days prior. He added that proposed Resolution No. 282 was a complete surprise, as he had no prior knowledge of the resolution until it was presented to the Board that morning and he opined there should be more time to consider these issues before voting. He reported that a steward for the union had called him the other day to voice his concerns with the MOA between the County and the CSEA relating to impact bargaining negotiations with affected bargaining unit employees in connection with the transfer of the Westmount Health Facility. He related that the union steward was unhappy with the fact that a particular employee who had been employed by the County for 19 years would only be eligible to receive 20% of their earned but unused sick days and he said he believed this was unfair. He apprised his father had been the Chairman of the Science Department for a number of years at a local high school and he had a number of concerns with teachers that would use up all of their sick time every year. He continued, his father respected the teachers that would only use a sick day if necessary and would be paid for their unused sick time when they retired. He pointed out during this time period employees were paid for 100% of their unused sick time, which was much more generous than the 50% that was offered today for individuals retiring after 20 years of service. He reiterated he felt it was unfair that the employee who had been employed by Westmount Health Facility for 19 years would only be paid out for 20% of their accrued but unused sick time.

In regards to Resolution No. 276, Mr. Whitehead apprised he was concerned that the SEQRA Part II documents had not been published online for review. He said although the work put forth by CPL for

the SEORA process may have been impeccable as Mr. Auffredou had previously stated, he had not had an opportunity to review it and questioned whether the Board had the opportunity to review it either; however, he commented, this would be moot point in a few moments when the Board would no doubt approve proposed Resolution No. 276 in their voting process. He mentioned since it was costing the County a substantial amount of money, he believed there should be more time to review the documents before rendering a decision on them. He recalled how the Board had voiced concerns when the State Legislators acted upon items rather abruptly, such as in the case of the New York SAFE (*Secure Ammunition and Firearms Enforcement*) Act of 2013, and he stated they should take the time to review these resolutions thoroughly before acting upon them. He commented he did not feel it was appropriate to introduce legislation like proposed Resolution No. 282 at the last minute, as he felt more time was necessary to review and consider the information, particularly because it related to such an important matter.

Continuing, Mr. Whitehead noted that he had been requesting information on the solar RFP for quite some time. He said he was aware that there were 6 respondents to the RFP, of which only 2 would be called upon to discuss the project further. He recalled that Supervisor Girard had mentioned earlier that the project had been shifted and was being reviewed differently and he commented he was concerned with the entire RFP process and whether it was fair to the 6 respondents. He suggested that someone should review the work being performed by the engineers who were charged with narrowing the scope of respondents. With regards to the RFP for the sale of Westmount, Mr. Whitehead pointed out that no one was aware that Fort Hudson had been eliminated as a potential candidate to purchase the Facility until it was too late to do anything about it.

Chairman Geraghty interjected advisement that Mr. Whitehead's comments were moving off topic and he asked that he limit his statements to matters related to resolutions to be acted upon by the Board. He added that Mr. Whitehead would be provided the opportunity to resume making his unrelated comments later in the meeting.

Supervisor Seeber stated as one of the five Supervisors from the Town of Queensbury she agreed with Mr. Whitehead's comment that upon occasion it was difficult to get information in an ample amount of time prior to the Board Meeting. She advised she had spoken with members of the Washington County Board of Supervisors and they indicated they made every effort to disburse information one week prior to the Board Meeting. She mentioned she believed this would be a good practice to implement in Warren County to the extent possible. She noted the bulk of the information included in proposed Resolution No. 282 had been provided to the Board at a previous meeting; therefore, she said, she wanted to ensure Mr. Whitehead was aware that the Board had been able to view the content prior to today's meeting and would not be making an uninformed decision on the matter. She said attending Committee meetings to discuss matters and being aware of what was occurring "behind the scenes" was an important part of a Supervisor's job description. She reiterated if possible making information available sooner rather than later was the best practice to have in place.

In regards to the Westmount Health Facility employee referenced by Mr. Whitehead, Supervisor Westcott asked whether there was an opportunity for grievances to be filed on an individual basis and Mr. Auffredou replied that he felt Mr. Paltrowitz should address this question. Mr. Paltrowitz advised that the CSEA served as the representative union for the Westmount employees and therefore they had an obligation to bargain on their behalf. He explained that a minimum number of 3 representatives from CSEA participated in the negotiations; however, he said, he was unsure whether the particular steward Mr. Whitehead had referenced was a participant. He noted the County had an obligation to negotiate with the CSEA, not individuals. He said every employee had the opportunity to receive the incentive for payment of 8 days of sick leave. He assured the Board that the Mike Nixon, *CSEA Labor Relations*

Specialist, had indicated to him that he was satisfied with the outcome of the negotiations and that the bargaining unit employees were also happy with the outcome and very appreciative of the position Warren County had taken. He said this did not mean that every employee was satisfied with the agreement, as that would be virtually impossible. He stated as an answer to Supervisor Westcott's question, the only way to alter the MOA would be through negotiations with the CSEA. He commented he felt the settlement was both fair to the employees and fiscally responsible for the County. Supervisor Westcott asked for clarification that the answer to his question was no and Mr. Paltrowitz replied affirmatively, explaining there was no way to grieve portions of the MOA.

Supervisor Merlino advised he felt the MOA was fair in relation to sick pay, as employees retiring after 20 years of service would receive more for their sick time than the amount it was earned at. He clarified that an employee accrued sick time throughout their career, at a lower hourly rate early on, and would now be paid out for those days at their current hourly pay rate, which was higher; therefore, he said, even though they were not being paid out for 100% of their time they were being justly compensated.

Supervisor Monroe stated that proposed Resolution No. 282 was discussed at length during an executive session at the May 6th Finance Committee meeting, when the majority of the Board was present. In regards to proposed Resolution No. 276, he stated he had been able to read the resolution during the meeting and was satisfied with the determination.

There being no further discussion or requests for roll call votes, Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 227-282 were approved, as presented. The Mortgage Tax Report and two Proclamations (*naming the month of May 2015 as "Mental Health Month" and "Older Americans Month"*) were submitted.

Chairman Geraghty called for discussion and public comment on any other matters to be brought before the Board of Supervisors.

Dr. James Seeley, *Executive Director of Cornell Cooperative Extension*, advised that Cornell Cooperative Extension of Warren County was currently teaching bike safety programs in many of the area school districts. He mentioned in conjunction with the Stewart's Foundation grant they were offering free bike helmets to those that could not afford them. He said if anyone was aware of individuals in need of bike helmets who could not afford them to please refer them to his office to get fitted for their helmet.

Supervisor Westcott asked whether the County Attorney could provide any update with regard to the discussion with Siemens Industry Inc., as some time had passed since the last update was provided to the Board. Mr. Auffredou stated he anticipated discussing this matter at a Committee meeting within the next 45-60 days in an executive session.

Supervisor Beaty queried whether the Board would ever vote on the Year 8 Performance Assurance Report from Siemens Industry Inc. He noted this issue was supposed to be entertained annually; however, he stated, it had been two years since the last time action was taken on a Siemens Performance Assurance Report. He pointed out that as per the Siemens contract, if the Board did not vote on the Performance Assurance Report within 45 days of it being presented Siemens considered it to be automatically approved. Mr. Auffredou interjected that he disagreed with Supervisor Beaty's conclusion and he stated there had been some discussion about the County's process and why they had not discussed the Performance Assurance Reports. He noted this would be addressed during the discussion that he and Mr. Paltrowitz planned to have at a future Committee meeting in a closed session so they could provide legal advice. Supervisor Beaty questioned if this meant they would be

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advised during the closed session as to whether they would be voting on the Performance Assurance Report or not and Mr. Auffredou replied this would be one of the topics for discussion during the meeting.

Supervisor Dickinson advised he would like to address the Board about an issue that had been ongoing since the beginning of the year. He explained that Supervisor Beaty had sent an email to Chairman Geraghty claiming he had received complaints from an undisclosed individual from the Town of Queensbury about his cell phone use in a Board meeting. First, he stated he wanted to clarify that, unlike Supervisor Beaty, he had an actual Town to oversee, as did many other Supervisors. He expounded that the Town he oversaw had been his hometown for his entire life; he added that the Town of Lake George had a \$5.7 million budget and 54 employees, which he oversaw. Supervisor Dickinson pointed out that many of the Town's employees were involved with equipment use that was perceived as dangerous, ranging from weed wackers to 20-ton snow plow trucks driving in the most hazardous conditions. He commented it was important for him to have contact with the Town at all times. He advised that July 2nd would mark his 38th year working for his company D.L. Dickinson Associates, Surveyors/Engineers; he added that although his son managed the business, it was necessary for himself and his son to remain in contact. He pointed out that both he and his wife came from very large, close, families that he needed to stay in touch with, as well. He mentioned he stayed in touch with everyone via his cell phone and utilized it to document a calendar of all of his activities whether they be private, personal, business or government related. He stated his phone was what ensured that he remained as organized as he was with all of the aforementioned facets. He apprised most of his friends and co-workers, which included some other Board members, were aware that if they needed to contact him they could do so via his cell phone. He noted the sign outside the Board Room which advised everyone to "silence your cell phones"; he then proceeded to provide an animated example of what a disruptive phone call would be, and he noted in order to avoid this occurrence he responded to any important messages or phone calls via text so as not to disrupt the meeting. He advised his point was that cell phones were needed and everyone should have one, as they were very helpful. He admitted that he used his cell phone during meetings, and in fact had already done so twice during the current meeting, but he kept it to himself as much as possible while paying. Supervisor Dickinson suggested that in the future, Supervisor Beaty call his cell phone rather than email the entire Board if he had an issue he would like to address with him and he recommended Supervisor Beaty direct any further complaints of this nature directly to him, as he would be happy to call the constituent and discuss their concerns. Concluding his statement, Supervisor Dickinson thanked the Board for their time.

Supervisor Beaty thanked Supervisor Dickinson for his comments. He said the complaint he received had been from a County taxpayer who he felt was entitled to make their own observations. He apprised the County taxpayer had been rather disappointed that Supervisor Dickinson was using his cell phone during the Board Meeting. He stated that he would relay Supervisor Dickinson's sentiments to the County taxpayer for him. Supervisor Dickinson interjected that there were a great deal of Board members who utilized electronic devices during meetings, such as Supervisors Vanselow and Seeber. He said that electronic devices were very valuable and those that utilized them realized their value; therefore, he stated, he would not stop using them. In conclusion, Supervisor Dickinson pointed out he was an elected Supervisor to represent the Town of Lake George, as well as the people of Warren County, New York and that was what he intended to do. He said if a Warren County resident or taxpayer had an issue with him they should call him directly and not go through Supervisor Beaty, as he felt Supervisor Beaty was a poor agent for his office.

Moving along, Supervisor Monroe advised that there was a presentation at the May 6th meeting of the Park O&M Committee meeting regarding the proposed website for the Festival Space which had been

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re-branded as the Festival Commons at the Charles R. Wood Park. He noted a copy of the proposed website design was on display outside of the Board Room.

Supervisor Simpson suggested anyone wishing to take children fishing this weekend should come to Mill Pond in the Town of Horicon on Saturday, as there would be plenty of trout to catch. Supervisor Wood advised regretfully she would be monopolizing most of the families this weekend with the Thurman Town-Wide Garage Sale.

Mr. Whitehead apprised he had been cut off earlier because his comment did not relate to resolutions. He said the solar RFP was issued some time last fall and he was aware that there had been at least 6 respondents to it and he knew that CPL had been reviewing them. From an administrative perspective, he questioned to what extent CPL was able to review and massage information before reducing the pool of respondents from 6 to 2, that may be invited back for further discussion. He commented that this did not appear to be an open process that all Committee members were involved in and he asked whether someone could explain this process to him. Chairman Geraghty responded they would research this matter and provide the information to Mr. Whitehead through a proper response; Mr. Whitehead commented that it would be interesting to see what the proper response would be.

Fred Austin, *Warren County resident*, advised that he was slightly offended by Mr. Whitehead's remarks regarding the work performed by CPL, as he had dealt with licensed architects and engineers from CPL in the past through his employment as a previous Superintendent of Public Works for Warren County. He opined that the staff from CPL did extraordinary work and if they reduced the number of respondents to the solar RFP from 6 to 2, they must have had a valid reason for doing so, as they were trained professionals.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Frasier and seconded by Supervisor Merlino, Chairman Geraghty adjourned the Board Meeting at 12:18 p.m.