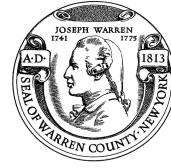


# Warren County Board of Supervisors

**SPECIAL BOARD MEETING  
FRIDAY, NOVEMBER 6, 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 10:03 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Thomas.

Roll called, the following members present:

Supervisors Conover, Monroe, McDevitt, Taylor, Brock, Kenny, Frasier, Simpson, Merlino, Strough, Sokol, Beaty, Westcott, Thomas, Wood and Geraghty - 16; Supervisors Girard, Vanselow, Dickinson and Seeber absent -4.

Chairman Geraghty noted the purpose of the Special Board Meeting was to present the 2016 Tentative County Budget. Privilege of the floor was extended to Frank Thomas, Budget Officer, who proceeded to make the 2016 Budget Message, as follows:

“Today I present to the Board of Supervisors’ the tentative 2016 Warren County Budget. I hope the process this year has been more informative for the Board members having each department review their budgets with their respective Committee. Thank you to Chairman Geraghty for the opportunity to serve as the County’s Budget Officer. Thank you to the Budget team; Administrator, Paul Dusek; Assistant to the County Administrator, JoAnn McKinstry; and Deputy Treasurer, Rob Lynch. Your help, guidance and work are invaluable in preparing the budget and the multi-year plan, which gives all of us a view of how our actions in 2016 will affect the years ahead. It is a useful tool in planning for the future, identifying issues and mitigating those issues before they develop into larger problems.

“Once again our Department Heads have worked diligently in preparing their budgets for 2016. They are aware of the expectations to additional costs, but they also come with cost reductions and improvements in the County’s operations. We have very experienced and talented individuals, often performing difficult jobs. I appreciate and thank each one for the knowledge they bring to the budget process each year.

“I appreciate the discussions with the Budget Committee at our recent meetings, and should I remain as Budget Officer in 2016, will heed the suggestions of meeting more frequently throughout the year to explore opportunities for additional revenues, cutting expenses, planning and determining future needs and how to achieve them.

“Every Budget always has positives and negatives influencing the outcome, this one is no exception. On the positive side is a decrease in New York State Retirement costs by 10% or \$667,000. A welcome decrease after many years of very high contribution rates. A \$308,000 or 2.7% decrease in health insurance premiums, very unusual in today’s health insurance market and a credit to Warren County’s management of health care costs over the past several years. By being self-insured with prescription drugs, experience rated and the accumulation of a reserve fund, stabilization of ever increasing cost has been accomplished. The anticipated increases going forward are expected to be at 4% each year, instead of 10-15% increases which

unfortunately have become normal.

“On the negative side is the under performance of sales tax revenue. Falling short of the budgeted amount for 2014 and the sharp decline at the end of the third quarter of this year gave pause and a recalculation going forward became necessary. Starting with the 2014 actual amount of \$49,404,038 multiplied by .6% to a projected 2015 total of \$49,700,462. This is multiplied by 1% for a 2016 budgeted amount of \$50,197,467. This is a decrease of \$1.2 million in revenue if we had just increased the 2015 budgeted amount by 1.5% as anticipated. Doing this will bring the numbers closer to reality and given our experience over the past two years is the right thing to do.

“This tentative budget has a proposed levy of \$41,781,451, which is an increase of 1.51% or \$607,659. The use of general fund surplus has decreased by \$1.7 million to \$495,000. While at first glance this is a good thing, it is somewhat misleading, due to the sale of Westmount and the lagging Intergovernmental Transfer (IGT) payments anticipated in 2016 which are now included in the general fund of the budget.

“Budgeted is a 2.5% pay increase for all non-union employees in conjunction with 14 salary adjustments, less than ½ the number of the adjustments for 2015. Overall personnel requests decreased by \$293,000 with new vs. deleted positions, other adjustments and a result in many cases of efficient and creative thinking by our Department Heads.

“Funded in this proposed budget is an additional \$300,000 for road paving, for a total with Capital with Highway Improvement funds of \$2.3 million, the SPCA is funded at \$80,000, up from \$8,000 in 2015. \$62,000 for the completion of the fire alarm system in this building, \$100,000 to replace the boilers in this building, and funds to pay bonding costs for the courts.

“The Southern Adirondack Library system funding was increased by \$10,000 from \$35,000 to \$45,000 and Cornell Cooperative Extension budget is increased by \$40,600 to fund two part-time educators, one for the Nutrition Program and the second for Logger Training and Certification Program. The invasive species program for Lake George was reduced by \$50,000 and an additional \$44,000 added and placed in a contingent account, should the Board decide to go forward with the NSTEM Project at SUNY Adirondack.

“At one recent Budget Committee Meeting the Airport became a topic of discussion and I found it to be very productive that different models of operation were mentioned. While there wasn't any agreement it was referred to the County Facilities Committee for further review. Over the past three budgets the operating expenditures at the Airport have been reduced by approximately \$153,000 and the revenue is budgeted at \$143,579 for 2016 which results in a net operating expense of \$624,689.

“The communication improvements for our police and first responders, necessitated by the narrow banding of the frequencies used, is not funded in this budget. It would be my suggestion, that much like we did for the roads in 2014 and like the \$600,000 appropriated this year, we wait until the final results of the 2015 Budget in April 2016 and if appropriate, the Board allocate additional funds to keep these improvements moving forward.

“And the last item I would like to mention, I asked the Assistant to the County Administrator for a number of what all increases in pay for everyone employed by the County was. The amount is \$996,000 to the 2016 Budget. This does include changes made year-to-date in 2015 by the

Board, for filling vacant positions, reclassifications, etc. Everyone desires a pay increase and rightly so, but as requests come before us throughout the year we should take a second and even a third look to consider if what's requested is needed.

"This proposed 2016 Budget does not accomplish all things, not many do. No one will like everything included in this Budget, but I think it's a responsible budget that addresses some of the desires of the Board, maintains and improves the services to the Warren County taxpayers".

Supervisor Thomas then proceeded to make a powerpoint presentation on the 2016 Tentative Budget, a copy of which is on file with the items distributed at the Board meeting. At the conclusion of the powerpoint presentation, Supervisor Thomas opened the floor to any comments or questions on the Budget proposal.

Chairman Geraghty questioned what they were voting on today and Supervisor Thomas replied they were voting to approve the 2016 Tentative Budget and authorize a public hearing for same. Chairman Geraghty asked whether changes could be made and Paul Dusek, *County Administrator*, replied affirmatively. He explained they utilized the same budgeting process as the Towns, which allowed for changes to be made to the Budget following the public hearing.

Supervisor Westcott requested confirmation that the 2016 Tentative Budget would be presented at the November 20<sup>th</sup> Board Meeting wherein changes could be made following the public hearing and Mr. Thomas confirmed this was correct.

Supervisor McDevitt remarked one of the items he found troublesome related to the increase in the number of staff for the County Jail even though the number of individuals incarcerated there was decreasing. He thanked Mr. Dusek for sending out an informative email regarding the matter which indicated tentatively there would be an initial on-going expense of approximately \$770,000 in staffing mandates, as well as an additional \$550,000 for required overtime. He mentioned what was of concern to him was these were financial responsibilities that never dissipated unlike expenses relating to the renovation and expansion of the court space, the Siemens contract, etc., as these expenses all had known end dates. He pointed out SUNY Adirondack had a demonstrated need for a new science building which he believed would have an annual cost to the County of \$500,000. He said the estimated annual costs of the Jail to address the mandated staffing was \$1.3 million. He informed due to the staffing mandates set by the State the staffing and overtime costs for the County Jail never decreased. He noted in his review of the same expenses associated with Westmount Health Facility the reverse was true; therefore, he said, he could appreciate the financial dilemma the County was faced with. He advised upon researching national trends and other States such as Texas, Virginia or Maryland, he discovered a downward trend had been detected nationally in expenses relating to jails. He reported it was rather expensive to incarcerate individuals; therefore, he apprised, he felt it was a mistake to incarcerate non-violent offenders due to the expense. He reported it was an on-going struggle for the County to determine a source of funding for their share of the expense to construct the new Science building at SUNY Adirondack, as well as other projects due to the financial restraints placed upon them by items such as the ever increasing costs of the payroll for the County Jail. He said he wanted to go on record to continue to express his concern regarding this. He apprised he had written a letter to the Governor expressing such and requesting that the trend be reversed.

Chairman Geraghty inquired whether Supervisor McDevitt received a response to his letter and Supervisor McDevitt responded in the affirmative; noting the response he received was from the NYSBOC (*New York State Board of Corrections*). He said what alarmed him about the response was that the County had requested that the State complete a study of the County Jail. He mentioned he felt this

was an inappropriate request since he believed the matter could have been addressed internally and Chairman Geraghty concurred. Chairman Geraghty remarked since less individuals were being incarcerated at the County Jail the payroll costs should decrease; however, he noted, this was not the case. Supervisor McDevitt pointed out other States, such as the ones he mentioned earlier, had been able to decrease their costs due to the fact that less offenders were being housed in their jails. Chairman Geraghty suggested the matter be referred to the Legislative & Rules Committee to determine whether a letter should be written to the Governor and State Legislature encouraging them to provide funding for the additional staff required by the mandate due to the size of the facility and Mr. McDevitt concurred. Chairman Geraghty asked Supervisor Wood whether she was aware if the census at the County Jail was steady and she replied affirmatively. She apprised there appeared to be a decrease in the number of Federal Inmates that were boarded at the County Jail but overall the numbers were steady with the exception of the summer months which related to the tourism economy.

Supervisor Monroe informed this was a further illustration that it did not work to have one level of government creating programs and placing the financial burden for them on the County. Chairman Geraghty advised a similar discussion took place this morning at the meeting he had with Washington County, as they were grappling with the same difficulties. He remarked it may be time for them to push harder for the State to provide financial assistance for the unfunded mandates they had placed upon them. Supervisor McDevitt pointed out that NYSCOPBA (*New York State Correctional Officers & Police Benevolent Association, Inc.*) was one of the strongest unions in the State; noting they had a vested interest in ensuring job security for their members.

Supervisor Kenny strongly urged the Board to contact the New York State Commission of Corrections and request another review of the staffing levels at the County Jail as over the last ten years. He pointed out the prison population had decreased to an all time low while the number of prison guards had increased to an all time high. He inquired who requested a study of the Jail and Supervisor McDevitt replied it was his understanding that Bud York, *Warren County Sheriff*, had made that particular request.

Supervisor Beaty advised he concurred with Supervisor Kenny, as it made no sense to increase the number of prison guards when the prison population was dwindling. He mentioned when the number of prison guards increased the payroll costs for the Facility increased significantly which was a collision course he would like to avoid even though it appeared this was already occurring. He said he was not aware of the fact that the County had requested scrutiny of the County Jail. Supervisor McDevitt said the letter he received to his contained a sentence that indicated Sheriff York had requested a study be performed. Supervisor Beaty queried whether it would be possible going forward to request that the New York State Commission of Corrections do another review of the staffing levels and inmate population at the County Jail so an adjustment could be made since less inmates were being housed there. He said he was unsure whether this meant closing down a pod in the prison; however, he noted, this warranted looking into since these costs would only continue to increase in the future. He remarked the Board needed to be cognizant of the fact that there were other key initiatives such as the Science Building for SUNY Adirondack that were put on hold due to the lack of funding sources available.

Supervisor Westcott requested that Supervisor McDevitt distribute the letter he received to all of the Board members for their review and Mr. McDevitt responded that he would do so. Supervisor Westcott remarked he felt Sheriff York should attend a meeting to address the matter again, as he believed Sheriff York had previously indicated why this study was completed; however, he said, he felt Sheriff York should provide further clarification to ensure this did not continue being a topic for discussion. He remarked he supported Supervisor Kenny's suggestion of requesting another review of the County

Jail by the New York State Commission of Corrections and suggested they contact Senator Little and Assemblyman Stec seeking their assistance with the matter. He stated he believed it was absurd that the County should have to pay for the increase in staff required when the inmate population continued to dwindle. He reminded the Board they had started a mandate relief effort to piggy back on the Governor's Mandate Relief Counsel which no longer existed. He said the County sent a "no brainer request" to the Committee which was turned down so they decided to address it in the Government Affairs Committee which he felt was the correct course to take with these types of grievances. He volunteered to provide assistance in anyway possible for this matter during his remaining tenure on the Board.

Supervisor Brock questioned whether it was legally permissible for the County to send prisoners to other County Jails and Supervisor Thomas replied his understanding was the County had previously requested to partner with Washington County to cut down on expenses for the Jail but the State turned down the request. Supervisor Brock pointed out it made sense to combine the Warren and Washington County Jails to cut expenses since both had seen a decrease in their inmate populations.

Chairman Geraghty interjected that a meeting took place with Senator Little in 2008 or 2009; however, he noted, due to the classification of prisoners this was not a valid option. He mentioned at the time the Sheriff's from both Counties were working together in an attempt to consolidate but they were stymied by the State Laws and the Governor. He said he believed there may have been some changes regarding the Prisoner Classification Laws since then. He pointed out there was only one Correction Officer per pod in the County Jails; therefore, he advised, closing a pod in the prison would provide little savings to the County.

Supervisor Brock inquired why it was permissible for the Federal Government to board inmates in different County Jail's but Warren and Washington Counties were not permitted to board inmates between the two Counties and Chairman Geraghty replied it was permissible to shift inmates between the two Counties but there would be a cost relating to that. Amy Bartlett, *First Assistant County Attorney*, advised she would research the matter to ensure this information was available during the Public Hearing portion of the November 20<sup>th</sup> Board Meeting.

Supervisor McDevitt apprised he recalled the State Legislature mandated that each County have a jail. He remarked now maybe a good time to consider changing this law in terms of sharing costs. Supervisor Monroe stated his recollection of the meeting with Senator Little was there were classification issues, as you had to separate adults from minors, by gender, etc. which added a substantial amount to the cost. He indicated if some of these different categories could be consolidated into nearby jails it may provide a substantial savings to the County. Chairman Geraghty informed the Sheriff's had been willing to move forward with the consolidation; however, he noted, they were blocked by the legislation in place. Supervisor Thomas suggested having jails in each County for different groups so they could consolidate. Supervisor Wood interjected that this may increase the costs of transporting the inmates which was already a noted concern for Counties.

Supervisor Merlino thanked Supervisor Thomas and the Budget Team for all their hard work in preparing the 2016 Tentative County Budget; however, he noted, he was disappointed no additional assistance had been provided to the small Towns such as the Town of Lake Luzerne who continued to struggle with their ever increasing budget and the limited amount of revenue sources they had available to them. He voiced his discontent with the contract between the City of Glens Falls and the County concerning disposal of the Town of Queensbury sewage, as he felt this contract should not be of concern to the County. He remarked he did not think it was fair municipalities other than the Town of Queensbury should be held financially responsible for this contract since it did not concern them.

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He said he was disappointed he did not receive support from the other Supervisors on the Board of small Towns since they all had the same bills to pay but received very little of the sales tax revenue. He mentioned he hoped next year more assistance would be provided to the small towns in the Budget. He remarked although he was supportive of education he was unhappy that \$94,000 had been set aside in the 2016 Tentative County Budget for the new NSTEM Building at SUNY Adirondack, as he felt it should be held off for a few more years. He said the taxpayers in the Town of Lake Luzerne could not afford any additional taxes.

Supervisor McDevitt stated since the City of Glens Falls had a legally binding, enforceable contract with the County it was not as simple as voting on a resolution. He added he believed the City would not be amendable to changing this contract. Mr. Merlino interjected he disagreed, as there had been a number of Board members who voted in opposition of the contract at the time it was voted on. He equated it to being similar to the contracts the County had with Siemens Industry Inc.; noting things could be changed. He said his displeasure stemmed from the fact that he felt the contract should be between the City of Glens Falls and the Town of Queensbury, as it did not concern the other municipalities in the County. He added he felt similar regarding the sales tax revenue and occupancy tax funds that were allocated to support the Glens Falls Civic Center, as it was a substantial amount of funding. He said he was hopeful the ACCC (*Adirondack Civic Center Coalition*) would be successful in making the Glens Falls Civic Center profitable over the next few years so they could become self-sustainable. He commented he knew he would never receive enough support on changing the way the sales tax revenue was allocated because of the way the vote was structured; however, he advised, he felt it was necessary to voice his concerns.

Supervisor Westcott commended Supervisor Thomas for his efforts as Budget Officer, noting he felt it was one of the toughest positions on the Board. He thanked Supervisor Thomas for listening to other Supervisor's concerns and doing what was feasible to increase the appropriation to the County Road Fund and the efforts to find efficiencies at the Airport, as he felt this was a step in the right direction. He requested they consider segmenting the pay raise for Mr. Dusek into an independent resolution so that it could be voted on separately due to the number of Supervisors who voted against having confidence in him. He reminded the Board last year's Budget had included a 6% pay increase for Mr. Dusek and this year's Budget included a 2.5% pay increase. He mentioned segmenting the pay increase as a separate resolution would prevent him from having to vote in opposition of the Budget.

This concluded the comments on the 2016 Tentative Budget.

Supervisor Kenny made a motion to bring proposed Resolution No. 522 of 2015 to the floor, the motion was seconded by Supervisor Wood and carried unanimously.

Chairman Geraghty called for a vote on the resolution, following which Resolution No. 522 of 2015 was unanimously approved.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Frasier and seconded by Supervisor Simpson, Chairman Geraghty adjourned the meeting at 10:50 a.m.