

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FIRE PREVENTION & CONTROL**

DATE: November 30, 2006

Committee Members Present:

Supervisors VanNess
Bentley
Belden
Haskell
Geraghty
Girard

Vacant: Town of Queensbury

Others Present:

Marvin Lemery, Administrator/Fire
Prevention & Building Code
Enforcement
Joan Parsons, Commissioner of
Administrative & Fiscal Services
Joan Sady, Clerk of the Board
Nicholas Caimano, Budget Officer
Supervisor Stec
Matthew Sokol, Supervisor Elect, Town
of Queensbury
Carlene Ramsey, Sr. Legislative Office
Specialist

Mr. VanNess called the meeting to order at 10:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Haskell and carried unanimously to approve the minutes of the previous meeting, subject to correction by the Clerk.

Privilege of the floor was extended to Marvin Lemery, Administrator, Fire Prevention & Building Code Enforcement, who distributed copies of his Agenda and Budget Summary Report.

With respect to the Building & Fire Code Department (A.3620), Mr. Lemery explained the "over" expenditure reflected in Salaries - Part Time (.130) was created due to an incorrect transfer of funds. Referring to the Emergency Medical Services (EMS) budget (A.4022), he stated the .110, Regular Salaries, reflected a deficit of \$1,903.50, as a result of two Deputy EMS Coordinators being paid utilizing Homeland Security funds from the Health Department and the necessary correction was not detected in the Treasurer's Office. In addition, he said, his Department had been charged for supplies for another department.

Mr. Geraghty queried whether the two Deputies were still paid under the Homeland Security grant and if the County required their services. Mr. Lemery responded due to the way the County was zoned, their services were needed.

Mr. Bentley entered the meeting at 10:14 a.m.

Mr. Lemery advised the Monthly Activity Report for Building Codes for the period October through November 2006 revealed the outcome was better than 2005. He said his Department estimated a 2005 budget revenue of approximately \$150,000 however, they had actually generated \$180,000 in revenue. In 2006, he stated, they again estimated the same budget revenue yet had already surpassed that amount

and expected an additional \$30,000. Contrary to the reports of the building industry slowing down, Mr. Lemery apprised new construction on residential and commercial properties continued to expand. In response to an inquiry by Mr. VanNess relative to the rate increase, Mr. Lemery indicated he received no feedback.

Mr. Sokol entered the meeting 10:16 a.m.

Concerning the recent purchase of vehicles for the inspectors, Mr. Lemery apprised their first gas statement totaled approximately \$1,200 however, if they had submitted expense vouchers as they had done in the past, it would have doubled. Furthermore, he said routine maintenance on the vehicles would be performed by Warren Tire.

Discussion ensued.

Since the inception of the Fire Prevention & Building Code Department in 1984, Mr. Lemery apprised the Local Law establishing this department had been amended twice reflecting changes in the fee schedule (Local Law No. 4 of 1983). Relative to Title 19, Mr. Lemery indicated significant changes had been made in the Building Code Offices throughout the State of New York and he requested permission to forward these changes to the County Attorney for his review. He said he anticipated amending the current Local Law in early 2007 pursuant to some State recommendations.

Commencing with the Fire Prevention & Control agenda, Mr. Lemery requested to extend the existing contract with the Lake George and Horicon Volunteer Fire Departments, commencing January 1, 2007 and terminating December 31, 2007 in an amount not to exceed \$6,305 each. He stated these fire departments had provided Warren County with dive teams for the past 15 years.

Motion was made by Mr. Belden and seconded by Mr. Geraghty to extend the existing contract as outlined above.

Mr. Geraghty asked if each volunteer fire department was staffed to capacity and Mr. Lemery replied affirmatively.

After discussion, Mr. VanNess called the question and the motion was carried unanimously. The necessary resolution was authorized for the December Board Meeting and a copy of the resolution request form is on file with the minutes.

Mrs. Parsons added that in non-election years, the normal procedure was to request Board approval of the resolution in December; however, in election years, the Chairman held the resolution until January when the new Board was officially in place.

Continuing with Item B under the Fire Prevention & Control agenda, Mr. Lemery noted the Committee discussed previously bidding the Cause & Origin contract currently

being provided by the City of Glens Falls. However, in discussions with the County Attorney's Office and their current expenditures, he said the Memorandum of Understanding (MOU) did not require a RFP (request for proposal); therefore, he requested the contract with the City of Glens Falls be extended.

Motion was made by Mr. Geraghty and seconded by Mr. Belden to approve the request as presented.

Messrs. Stec and Caimano entered the meeting at 10:25 a.m.

Mr. VanNess explained when this contract was originally negotiated with the City of Glens Falls, he understood these services would go through the bidding process in 2007. He indicated the alternative solution would grant private investigative firms permission to hire outside professionals; however, he said, if the committee was satisfied with the current agreement, then they should vote to extend the existing Cause & Origin contract with the City of Glens Falls. Mr. Girard asked if the "interested" firm would be notified of the committee's decision and Mr. VanNess responded they would be apprised either by Mr. Lemery or a letter from the committee.

A general discussion ensued relative to the qualifications of the current team and the number of times their services had been requested.

Mr. Belden suggested that a letter from either the Chairman of the Board or the Chairman of this Committee be forwarded to this individual informing them of the decision to extend the existing contract with the City of Glens Falls for the Cause & Origin Team.

Mr. VanNess apprised that these individuals were not paid for their services; however, they now requested remuneration. Mr. Girard asked if the City of Glens Falls compensated these individuals for any testimony, if required, and Mr. Lemery responded affirmatively. Mr. Sokol, Supervisor Elect, Town of Queensbury, inquired why these services were not put out to bid and Mr. Lemery answered the County always had their own Cause & Origin team. Mr. VanNess stated the training to achieve fire investigator status was extensive, as well as costly, and the Glens Falls Fire Department was the only department willing to undertake the responsibility. Currently there was an outside firm that would like to bid these services utilizing some of these same volunteers, he said, but they would become paid volunteers. Furthermore, Mr. VanNess stated not only had the County not met the \$3,000 threshold to bid the services but by utilizing an outside agency, the continuity of evidence and reports would become compromised.

After discussion, Mr. VanNess called the question and the motion was carried unanimously approving the request to continue the Memorandum of Understanding with the City of Glens Falls for the Cause and Origin Investigative Team. The necessary resolution was prepared for the December Board Meeting and a copy of

the resolution request form is on file with the minutes.

Continuing on with Item C, Mr. Lemery informed the Committee there was a meeting scheduled for Tuesday, December 5, 2006 at 7:00 p.m. with the Warren/Washington County Committees of the Fire and EMS (Emergency Medical Services) to interview the two finalists from the architectural and engineering firms in regard to the Fire Training Center. In January, he said, they would bring their recommendation to hire to the Committee. Mr. VanNess asked if this firm would review all three selected sites. Mr. Lemery acknowledged that upon their site recommendation, the firm would report to this Committee, and ultimately to both the Warren and Washington County Boards of Supervisors.

Discussion ensued.

With respect to Item E, Mr. Lemery apprised he received a letter of resignation from Robert Moon, Deputy Fire Coordinator. At the recent annual banquet, he stated Mr. Moon was honored for the many achievements he accomplished during his tenure. Mr. Lemery asked that a Certificate of Appreciation in recognition of Mr. Moon's 46 years of service with Warren County be prepared.

Motion was made by Mr. Belden and seconded by Mr. Bentley approving the request as submitted.

Mr. Belden suggested that perhaps a plaque be made in his honor. Mr. Lemery stated he would extend an invitation to Mr. Moon to attend the December 15th Board Meeting to receive the certificate.

After discussion, Mr. VanNess called the question and the motion was carried unanimously.

Mr. Caimano left the meeting at 10:40 a.m.

Mr. Lemery apprised a Notice of Intent to Fill Vacant Position had been attached to the agenda, effective January 1, 2007. Mr. VanNess thanked Mr. Lemery and his Department for allowing Mr. Moon to remain with the County during this unfortunate time.

Motion was made by Mr. Geraghty, seconded by Mr. Girard and carried unanimously approving the request to Fill Vacant Position of Deputy Fire Coordinator, Employee No. 1847, base salary of \$4,714, effective November 30, 2006, due to retirement and to forward same to the Personnel Committee. A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.

Mr. Lemery requested an executive session to discuss the employment history of a particular employee.

Motion was made by Mr. Geraghty, seconded by Mr. Bentley and carried unanimously, that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 10:42 a.m. until 10:48 a.m.

The committee reconvened.

Chairman VanNess noted that no action was taken pursuant to executive session.

There being no further business to come before the Committee, on motion by Mr. Geraghty and seconded by Mr. Belden, Mr. VanNess adjourned the meeting at 10:49 a.m.

Respectfully submitted,

Carlene A. Ramsey, Sr. Legislative Office Specialist
Typed by: Debra L. Schreiber, Legislative Office Specialist