

Warren County Board of Supervisors



**BOARD MEETING
FRIDAY, DECEMBER 20, 2013**



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 Kenny.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Frasier, Bentley, Vanselow, Dickinson, Merlino, Montesi, Mason, Strainer, Westcott, Sokol, Thomas, Wood and Geraghty - 20.

Motion was made by Mr. Mason, seconded by Mr. Montesi and carried unanimously to approve the minutes of the November 15th Board Meeting, subject to correction by the Clerk of the Board.

Chairman Geraghty announced that before beginning the agenda review, the Board of Supervisors would like to recognize two long-time DPW employees for their service to Warren County. He asked Jeffery Tennyson, Superintendent of Public Works, to come forward and assist him in presenting Certificates of Appreciation to John Gates for his 27 years of services and Steven Burgess for his 32 years of service; Mr. Tennyson read both Certificates aloud and the Board responded with a round of applause. Mr. Tennyson apprised Mr. Gates was one of the most experienced roller operators working in the paving operations and had helped to train many new operators. He noted that Mr. Burgess was one of the most popular DPW employees because he was so friendly and easy to work with; he advised Mr. Burgess had worked in the Parks, Recreation & Railroad Division, assisting with the Warren County Bikeway as well as with operations at the Fish Hatchery. Mr. Tennyson concluded that both employees would be missed and he wished them well in their impending retirements. Another round of applause was given.

Commencing the agenda review, Chairman Geraghty declared the Public Hearing on Local Law No. 1 of 2014 entitled "A Local Law Fixing the Salaries of Certain County Officers and Employees of Warren County" open at 10:10 a.m. and he requested that the Notice of Public Hearing be read aloud, which Joan Sady, Clerk of the Board, proceeded to do.

There being no immediate comments, Chairman Geraghty advised that the Public Hearing would remain open for a portion of the meeting to allow anyone wishing to speak on proposed Local Law No. 1 of 2014 the opportunity to do so.

Chairman Geraghty announced the presence of two honored guests, Senator Betty Little and Assemblyman Dan Stec. Privilege of the floor was extended to Senator Little who noted that both she and Assemblyman Stec had begun their political careers with the Warren County Board of Supervisors and she said she believed this might be the first time that there was an incumbent Senator and Assemblyman both from Warren County. She said the purpose of her attendance was to thank those leaving the Board of Supervisors for their service to Warren County, as well as those who would continue to serve, and to welcome the new members of the Board. Senator Little stated that she

intended to continue to work with the Board in 2014 on a number of prospective issues. She continued that 2013 had been a very successful year, with the approval of two Constitutional amendments affecting the Adirondack region and approval of 16 of 18 pieces of legislation. Senator Little stated that at the State level, they were looking forward to what would be happening with casino revenues and she noted that Warren County, as well as the other four counties included in the exclusivity clause and did not share in the initial 25% of what the State received, but would share in 10% of the slot machine revenues the State received from the Akwesasne Mohawk Casino Resort. Senator Little pointed out that since the Casino had added a new hotel the revenues had increased, as had the employment levels from approximately 900 jobs to 1,500.

Senator Little advised they would also be discussing property tax reduction and she advised the "Circuit Breaker" property tax relief bill she had co-sponsored was gaining more attention; she explained the bill was intended to assist those homeowners whose rising property tax bills had exceeded their income. Senator Little further explained that the bill she had proposed would require applicants to have lived in their home for at least five years in an effort to prevent a person from buying a home that they could not afford, and it included a cap of \$5,000 which would be returned in a tax credit or a rebate. She said she was not sure how the bill would be enacted in the end, but said that she appreciated the support provided.

Speaking on a new initiative, Senator Little advised that a few weeks ago she had been approached by Dr. Dan O'Keeffe, who had written two books about skiing in the Town of North Creek and was now promoting the idea of constructing a ski museum in the Town of North Creek. She advised that as per Dr. O'Keeffe, New York State had developed the first ski trails, the second lift tow and the first ski patrols in the entire Country. Senator Little apprised that she was working with Supervisor Vanselow, *Town of Johnsbury*, to establish a committee to explore this possibility as they felt it would be a great attraction as the State of New York boasted more ski areas than any other state in the Country, albeit many of them were very small.

In conclusion, Senator Little advised that she would keep the Board of Supervisors informed of the legislation she was working on and she encouraged anyone with questions to speak with her after the meeting. She wished everyone a Merry Christmas, thanked the members of the Board of Supervisors for their hard work and their support and said she looked forward to working with them in 2014.

Chairman Geraghty responded expressing his appreciation for Senator Little's efforts on behalf of the region in attaining a portion of the \$82.8 million in Consolidating Funding grant monies received by the Capital Region. He said he believed Senator Little's advocacy on behalf of Warren County had been an important factor in the amount of grant funding received and he thanked her for those efforts. Senator Little replied with her appreciation of the efforts put forth in submitting proposals and said she believed they would continue to see success on this front. She noted that she had recently attended a Health Planning Commission meeting in Lake Placid, NY during which they had discussed collaborations between the Adirondack Tri-County Nursing Home and nursing homes in Ticonderoga, NY, Lake Placid, NY and another in Tupper Lake, NY which were small, independent homes that were struggling. Senator Little advised that this new collaboration had received an award of \$7.1 million to assist with expenses and help them to become more efficient in the future and she said she hoped this would prove helpful to the collaboration.

A round of applause was given.

Privilege of the floor was extended to Assemblyman Stec, who thanked Senator Little and agreed that

2013 had been a good year for the Adirondack region; he noted that many of his bills had also been supported by Senator Little. He advised both the North Country and Capital District divisions of the Regional Economical Development Council had done very in 2013, leading Warren County to receive about \$6 million in grant funding, about half of which had been contributed for public aid projects in the City of Glens Falls. Assemblyman Stec said he believed they had turned a corner in 2013 in dealing with Adirondack region issues leading environmental, local government and state groups to work together better to collectively address these matters; he added that he believed these efforts had helped to make the two Constitutional Amendments successful, as well as to achieve funding for Whiteface Mountain and to settle upon the land classification for the former Finch-Pruyn lands. Assemblyman Stec stated that he believed there was a new era of cooperation between the great group of players from all sectors, including public, private and not-for-profit organizations, to address Adirondack region issues. Assemblyman Stec encouraged the members of the Board of Supervisors to continue to forward their concerns to himself and Senator Little.

In closing, Assemblyman Stec extended his best wishes to those Board members who were not returning in 2014, noting that it had been a privilege for him to serve with them during his previous tenure as Supervisor for the Town of Queensbury. He thanked his successor, Ron Montesi, who was the current Supervisor for the Town of Queensbury but would not be returning in 2014, for his service as Town Supervisor, as Deputy Town Supervisor, and for the many years he had served as a Town Councilman and as an NYSDEC (*New York State Department of Conservation*) Region 5 representative. Assemblyman Stec also noted the impending retirement of Supervisor Bentley, *Town of Horicon*, and he thanked him for his friendship during the years they had served together. Finally, Assemblyman Stec wished everyone a Merry Christmas and a Happy New Year.

Senator Little stated that Assemblyman Stec had done a great job in his first year serving on the New York State Assembly and she said it had been a pleasure to work with him; she added she felt the two of them made a good team to represent the area. Senator Little said she had one more issue to note which related to the school districts comprised of considerable areas of State-owned Forest Preserve lands. She explained that when State-aid amounts were determined, they considered the property value of the community and the average income of the district. Senator Little advised that for many portions of the area, especially in those that had lakes and resorts, the property value was much higher than the income values; additionally, she noted that Forest Preserve areas made the property value very wealthy and decreased the State-aid figures. In order to gain realistic property values, Senator Little proposed that the Forest Preserve lands be removed from the equation when determining the combined wealth ratio as it was well known that these properties would never be built upon and therefore no one of school age would be residing there. She stated that many school district representatives had indicated that this initiative would help them to receive the proper amount of State-aid; she added that any support garnered for this proposed legislation would be greatly appreciated and she encouraged the members of the Board of Supervisors to forward letters of support to her, as they were very helpful.

Chairman Geraghty asked if there was anyone wishing to comment on proposed Local Law No. 1 of 2014; their being no response, Chairman Geraghty closed the Public Hearing at 10:21 a.m.

Chairman Geraghty announced there were five members of the Board of Supervisors that would not be returning in 2014 and he announced them, as follows:

- ★ Ron Montesi, Town of Queensbury (*appointed to fill the unexpired term of Assemblyman Dan Stec for the year 2013, serving seven Committees*);
- ★ William Mason, Town of Queensbury (*two-year member of the Board of Supervisors, serving ten Committees in 2013*);

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- ★ William Loeb, City of Glens Falls Ward 4 (*four-year member of the Board of Supervisors, serving seven Committees, including Chairman of the Social Services Committee, in 2013*);
- ★ David Strainer, Town of Queensbury (*six-year member of the Board of Supervisors, serving nine Committees, including Chairman of the Community College and Human Services Committees, in 2013*);
- ★ Ralph Bentley, Town of Horicon

Chairman Geraghty advised Mr. Bentley had been a member of the Board of Supervisors for the past sixteen years, serving nine Committees in 2013, including chairmanships for the Criminal Justice and Public Works Committees. He continued that Mr. Bentley also served on countless outside committees, agencies and boards, and was wrapping up his term as Chairman of the Intercounty Legislative Committee of the Adirondacks. Chairman Geraghty asked Mr. Bentley to come forward and he presented him with a gift from the Board of Supervisors; he thanked Mr. Bentley for his service to Warren County and said it had been a pleasure to work with him over the years. Mr. Bentley thanked the Board of Supervisors for recognizing his achievements and his impending retirement. A round of applause was given.

Resuming the agenda review, Chairman Geraghty proceeded to read aloud the listing of meetings and events he had attended since the last Board Meeting, a copy of which is on file with the items distributed at the December 20th Board Meeting. He noted that on December 19th, a training meeting had been held with the five new incoming Supervisors along with Mrs. Sady and Paul Dusek, County Administrator, to advise what they should expect, and what was expected of them, in their new positions. He thanked Mrs. Sady and Mr. Dusek for their efforts in making this meeting both successful and productive, and he welcomed the new Supervisors in attendance.

Chairman Geraghty called for reports from Committee Chairman on the past months meetings or activities and the following were made: Supervisor Kenny, Occupancy Tax Coordination; Supervisor Dickinson, Invasive Species; Supervisor Merlino, Tourism; Supervisor Strainer, Human Services; Supervisor Mason, Airport Advisory Committee; Supervisor Sokol, Health Services; Supervisor Wood, Public Safety; Supervisor Conover, Finance; Supervisor Monroe, Real Property Tax Services; Supervisor Girard, County Facilities; Supervisor McDevitt, Mental Health; Supervisor Taylor, Economic Growth & Development, Personnel and Support Services; and Supervisor Loeb, Social Services.

Mr. Kenny advised the Occupancy Tax Coordination Committee had met on December 3rd to consider the applications submitted for Special Event Occupancy Tax funding; he added that funding requests for 51 events totaling \$800,000 had been received. Mr. Kenny reported that at the end of the lengthy meeting, the Committee had pared down the requests and presented a list of awards ranging from \$500 to \$50,000, for a total distribution of \$350,000. He thanked the Committee members for all their hard work in making these decisions.

Mr. Dickinson stated that he served as a member of the Occupancy Tax Coordinating Committee and he said that although it had been difficult to make the funding decisions, he felt they had done a good job and he commended his fellow Committee members. He reported that the November 22nd meeting of the Invasive Species Sub-Committee had been very informative, including an update from Dave Wick, Executive Director of the Lake George Park Commission (LGPC), on the Asian Clam eradication efforts relating to the serious setback incurred in the matting program. Mr. Dickinson apprised that they had missed a vital phase of the Asian Clam reproduction phenomena leading those areas which had previously been 100% successful in the previous matting phase to be immediately repopulated. He said they were now regrouping and conferring with the science community to try and determine what

alternate steps could have been taken to avoid this setback. Mr. Dickinson apprised that they had decided to re-mat one of the five new infested areas located in the Glen Burnie area and had over-matted the area in the fall of 2013 in hopes that they would achieve positive results when the mats were removed in the spring of 2014. He noted that a lot of preparation work was required before the mats were applied in an effort to determine the epicenter of the infestation and he noted this was difficult work as the Clams were very small, only the size of a thumbnail when fully grown. Mr. Dickinson advised during the Invasive Species Sub-Committee meeting Walt Lender, Executive Director of the Lake George Association (LGA), had also reported on the Lake Steward Program run by the LGA. He said that a voluntary boat washing program had been used for 2013, during which the Lake Stewards had been stationed at each boat launch collecting information regarding where the boats had been and the condition prior to launch.

Mr. Dickinson reported that the Committee had discussed the prospective distribution of the \$300,000 in County funding allocated for the Invasive Species Eradication program in the 2014 Budget, following which Mr. Monroe had revisited the idea of splitting those funds to contribute \$150,000 to the Asian Clam eradication efforts in Lake George and to split the remaining \$150,000 between the other lakes within Warren County. He apprised that the Committee had authorized a resolution to this effect and the initiative was represented in the resolution packet as proposed Resolution No. 640, *Allocating a Portion of the Funding Earmarked for Invasive Species in the 2014 Budget to Lake George with Remaining Funding to be Allocated to Other Lakes within Warren County*. Mr. Dickinson stated that the Committee had also talked about the attempt to adopt a local law for mandatory boat washing in Warren County to help with the invasive species eradication efforts, and the need for an environmental impact statement in order to introduce the local law. He noted that an RFP (*Request for Proposals*) had been released for work associated with the environmental impact statement and the resulting bids had been very expensive, with the low bid being \$80,000 and the highest being close to \$300,000. Mr. Dickinson said he had spent his professional career dealing with these types of services and was sorely disappointed with the quotes received, noting that they were very high and the funding would probably be better used to control the species already present. He reported that at Mr. Conover's suggestion, they had delayed any further action on the RFP's received in order to first interview each of the bidders to gain more information about the work proposed by each and the time frame estimated. By doing this, he continued, they might be able to start the process with one of the initial phases, rather than undertaking the whole process all at once, to spread out the costs. Mr. Dickinson advised that following an advisement from Mr. Dusek that the funds for this work were not included in the 2014 Budget, on motion made by Mr. Bentley and seconded by Mr. Conover, the matter was referred to the Finance Committee to determine a source of funding for the consultant services.

Lastly, Mr. Dickinson reiterated that in 2013 a voluntary boat inspection program had been incorporated where efforts had been made to contact the boater and encourage them to comply. He continued that they had been working towards a mandatory boat inspection program that would require boaters to make contact to determine where their boats could be inspected and he said he was excited to report that the LGPC had recently adopted the initiative and the program would become effective for 2014 and would continue for two years. Mr. Dickinson concluded that in this inaugural year, there were a lot of complicated issues to address, but they were hopeful that the program would be successful.

Mr. Merlino advised the Tourism Committee had met on November 22nd, approving proposed Resolution Nos. 644 - 652 which were included in the resolution packet. He said an aggressive winter advertising campaign had been started prior to the Thanksgiving holiday which had included placement of posters in New Jersey Transit locations, in-bound stations in Manhattan, NY, and

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distribution of brochures at ski shops, the I ♥ NY Information Center in Times Square, and several Thruway and Northway rest stop locations. Mr. Merlino advised that the winter television commercials had begun airing in the Metro/Hudson Valley/Albany markets and he said that the commercials were completely new and comprised of footage recorded during the prior winter season. He continued that the Adirondack Regional Snowmobile Campaign would begin airing in December in the Rochester/Hudson Valley/Central Pennsylvania/New Jersey and he noted that winter email blasts had been released on November 12th and December 3rd and publications in various other media outlets had been placed. Mr. Merlino reported that as of the end of November, the Tourism Department had received a 10% increase in requests for information regarding Warren County.

Regarding the Senior Center in the Town of Lake Luzerne, Mr. Merlino apprised that 10,000 meals had been served and 4,595 meals on wheels had been delivered. He stated that this was a very successful program and he appreciated the efforts made in the prior years to keep the meal sites open. Mr. Merlino concluded his report by wishing everyone a Merry Christmas and a Happy New Year.

Mr. Montesi stated that it had been a privilege to serve the citizens of Warren County and the constituents of the Town of Queensbury, as well as to work with the other members of the Board of Supervisors and he wished everyone a Merry Christmas.

Regarding the Human Services Committee meeting held on November 22nd, Mr. Strainer advised proposed Resolution Nos. 682 - 684 had been approved, all relating to the renewal of leasing agreements for the mealsites locations. He reported that he had recently met with Court Officials who indicated they had reappointed Bonnie Nadig as the Commissioner of Jurors in Warren County. Mr. Strainer said Ms. Nadig had done a wonderful job in her position and he noted she had visited local schools to speak with students and help them to understand the juror process as well as express the importance of jury duty. He concluded that he was happy Ms. Nadig had been reappointed and he wished her well.

Mr. Mason advised the first meeting of the Floyd Bennet Memorial Airport Advisory Committee had been held on December 16th at the Airport and had unanimously elected him to serve as their Chairman. He stated that the first meeting had consisted of general discussion regarding when the Committee would meet and so forth, and they had identified one issue wherein the FBO (*Fixed Base Operator*) was attempting to appoint a member who was not a resident of Warren County. Mr. Mason advised that this issue had prompted the presentation of proposed Resolution No. 729, *Amending Resolution No. 500 of 2013, Establishing "Floyd Bennett Memorial Airport Advisory Committee"*, which was being sponsored by the County Facilities Committee and sought to delete the requirement that all members had to be residents of Warren County, as well as to allow each appointed Committee member to designate a primary and secondary alternate to act in their place. He said the next meeting of the Advisory Committee would be held on January 13, 2014 and any interested persons were invited to attend. In conclusion, Mr. Mason thanked his fellow members of the Board of Supervisors; he opined that the past two years had been very productive and he thanked everyone for their support.

Mr. Westcott advised he had attended the meeting of the Floyd Bennett Memorial Airport Advisory Committee and supported the selection of Mr. Mason as the Committee Chairman and he looked forward to working with him. He said he had spoken privately with Chairman Geraghty that morning and requested authorization to introduce information regarding the aviation easements for Runway 30, as well to authorize Supervisor-elect Doug Beaty to make some remarks. Mr. Westcott apprised he had been approached by a group inquiring about the process taking place to purchase land and secure

aviation easements in the range of \$1 million, specifically inquiring how they had reached this phase of the process and why the easements were so costly; he added that because he did not have an answer readily available, he had begun researching the matter in cooperation with Mr. Beaty and they now wished to share the information they had found. Mr. Westcott apprised that in 1943 an aviation easement for this area had been secured, for which they had a deed but no map, making it difficult to determine exactly what had been purchased, leaving them in a position where they needed to either find the map or renegotiate the transfer. He continued that in 2005, the County was authorized to begin civil action to determine the worth of the easements, but had ultimately decided not to proceed. Mr. Westcott advised that in 2011, the Board had authorized the expenditure of \$50,000 to obtain the necessary easements, but that agreement had not come to fruition and they now found themselves in a situation where costs approaching \$1 million were proposed for the purchase of property and easements, some of which were located in Washington County. He said that this seemed to be a bit exorbitant and had led Mr. Beaty to spend a significant amount of his own time performing further research on the matter. With Chairman Geraghty's permission, Mr. Westcott invited Mr. Beaty to share the information he had found with the Board.

Mr. Beaty began by thanking the Board for the opportunity to speak on this issue, noting that Martin Auffredou, County Attorney, had been very supportive in assisting him to find the information he sought. Essentially, he stated that records reflected easements had been purchased in 1943 for \$1,200, which would equate to about \$20,000 by today's monetary standards; the crux of the matter, he added, was that they were unable to find the map describing the easements purchased. Mr. Beaty stated that he respectfully requested that the Board place a hold on actions authorized by Resolution No. 339 of 2013 in order to allow more time to perform their due diligence and ensure every possible avenue had been searched to find the map before proceeding with the easement purchases. He said he was aware that the Army Corps of Engineers, at the time called the U.S. Engineers Office, had generated the map and given it to Warren County; he advised Ross Dubarry, Airport Manager, had recently contacted the Army Corps of Engineers to see if they might have a copy of the map. Mr. Beaty reiterated his request to delay the process pending further research as this map may provide new information that would substantially change the easement procurement process and the costs associated. He concluded that it was his understanding that Mr. Auffredou would report at the January County Facilities Committee meeting whether he was able to find any information on the matter.

Mr. Auffredou said that although this issue had been thoroughly reviewed in the past, including an impressive research of Warren County, Washington County and National archives all to no avail, he supported the idea of researching the records one more time to ensure that the map could not be found before proceeding with the easement purchases. He agreed it would seem that the map must be in someone's possession; however, the review of prior Airport Managers and County Attorneys had been unsuccessful in finding it. Mr. Auffredou confirmed that he would review the records and would be ready to report at the next County Facilities Committee meeting from a historical prospective as to what they had done, as well as to make a recommendation as to how to proceed.

Mr. McDevitt questioned what would happen if they discovered the map was not available and Mr. Auffredou responded that would be a policy decision as to whether they would proceed with the offers already extended. If they were able to find the map, he continued, it may or may not impact easement needs; he added that a map generated for a specific purpose in 1943 may not meet the current standards or the easement needs at the Airport. Mr. Auffredou stated that an inquiry had been submitted to the County's engineer on contract to assist with this analysis, as well.

Mr. Girard commented that although he was aware the total cost of the easements would be \$1 million,

but the Local Share would only be 5%, which was \$50,000. He then proposed a scenario where the map was found and they proceeded to cut trees and obstructions to meet FAA (*Federal Aviation Administration*) requirements which were not in effect in 1943, and he questioned whether a property owner could conceivably state that the County could not cut trees on their property, leading to the need to litigate and Mr. Auffredou replied affirmatively. Mr. Girard also asked whether this litigation would incur additional costs to the County and Mr. Auffredou responded that it would as there were always extra costs incurred by litigious activity. From these statements, Mr. Girard deduced that for the \$50,000 Local Share, Warren County could choose to proceed with the easement procurements, as previously authorized, and meet the goals the FAA had described for obstruction removal at no risk of litigation.

Mr. Taylor noted that Mr. Beaty had asked for action associated with Resolution No. 339 of 2013 to be delayed and he questioned whether any such work was planned to take place before the next County Facilities Committee meeting. Mr. Auffredou replied that in his opinion, nothing substantive would be taking place before the January Committee Meeting and if he became aware of such an activity he would notify both Mr. Beaty and the members of the Board of Supervisors; therefore, he continued, he did not believe there was any need to formally act on Mr. Beaty's request at the current meeting. Mr. Auffredou concluded that while he hoped they would find the map from 1943, his suspicion was that they would not based on the lack of success achieved in prior searches.

Mr. Monroe questioned whether the deed provided any helpful information regarding the easements purchased and Mr. Auffredou stated that the deed referred to the area of the easement being described in the map they were unable to find. He stated that based on this information, they would be making a pure guess as to the location of the easements purchased and for that reason they had been reluctant to commence litigation in 2005. Mr. Conover asked if the FAA had been made aware of this situation and Mr. Auffredou replied affirmatively.

Mr. Sokol reported that the Health Services Committee had met on November 22nd to review a brief agenda that included only a few typical procedural requests. He said that discussions had continued with Specialty Cares regarding the prospective sale of the Westmount Health Facility and he said he believed the process was moving very smoothly. Mr. Sokol stated that they hoped to receive more substantive information on the sale in January, following which the takeover process would ensue and they assumed that would take about 14 months. Finally, he acknowledged the five Supervisors leaving the Board, thanking them for their service and wishing them the best in their futures.

Mrs. Wood advised the Public Safety Committee had met on November 25th and approved a few resolutions, *represented by proposed Resolution Nos. 658-661*. She reported that subsequent to a meeting sponsored by Bud York, Sheriff, with representatives of the Hudson Headwaters Health Network (*HHHN*), the decision had been made to change the health service providers for the incarcerated population at the Warren County Jail and she said they intended to monitor the services for the first six months of 2014; she added that they expected to attain a savings through this change. Mrs. Wood also pointed out proposed Resolution No. 718, *Standardization of Verizon Technology and Declaring Verizon the Sole and Single Source for Receiving Technology, Telephone and Maintenance for the E-911 Center and Authorizing Agreement with Verizon New York, Inc. and Ratifying the Action of the Warren County Sheriff in Executing the Agreement with Verizon New York, Inc.*, which was initially reviewed by the Public Safety Committee before being referred to, and approved by, the Finance Committee. She explained this action was necessary as a result of updates to the E-911 Center equipment. Mrs. Wood apprised that the DCJS (*Division of Criminal Justice Services*) planned to begin

their study on the consolidation of police forces in early January and she said they expected the duration of the study to last eight to nine months. Finally, Mrs. Wood advised the Board of the recent actions of the Employees Activities Committee in association with the Adopt-a-Family project they had undertaken. She said she had first learned of the project in 2012 and noted that 2013 marked the second year she had participated. Mrs. Wood stated this was a wonderful project, and a huge undertaking for the employees, and she said she was in awe of the true spirit of the holiday season that the County's employees showed which extended across all Departments. She advised that some Departments adopted children or families to purchase gifts for them, while others took up collections to assist with the purchasing or participated in the gift wrapping process; she added that another neat aspect of the project was that they remembered the elderly who were often forgotten during the holiday season, adopting a number of seniors through the project. In addition to all this, Mrs. Wood noted that the employees participated in a hat and mitten tree where items were contributed and used to decorate trees in both the Municipal Center and Human Services Buildings and those items were later disbursed to needy children in Warren County. She stated that she wanted to take a moment to thank everyone for whatever part they had played in this program and she said this spoke very well of the County's employees.

Mr. Conover reported that the Finance Committee had met on December 11th and the actions taken during that meeting were represented by proposed Resolution Nos. 629, 630 and 689 - 710, the bulk of which addressed typical business matters. He drew the Board's attention to proposed Resolution Nos. 689, *Authorizing Extension of Inter-Fund Loan Repayment Agreement for Westmount Health Facility*, and 690, *Authorizing Interfund Advance to Westmount Health Facility to Cover Cash Flow*, both of which were necessary to cover deficits until the anticipated IGT (*Inter-Governmental Transfer*) funds were received. Concluding his report, Mr. Conover thanked Senator Little and Assembly Stec for their participation in the CFA (*New York State Consolidated Funding Application*) grant awards which had included \$482,000 for the Invasive Species program. He added that these funds would greatly assist the eradication efforts and on behalf of everyone involved in the program, he expressed sincere appreciation.

With respect to the Real Property Tax Services Committee meeting held on November 20th, Mr. Monroe apprised the Committee had voted in favor two resolutions, represented by proposed Resolution Nos. 672, *Rescinding Resolution Nos. 276 of 2013 and 466 of 2013 Deleting Taxes on Town of Warrensburg Tax Map Parcel Nos. 211.13-4-11; 211.13-4-39 and 223.7-1-24*, and 673, *Cancelling or Correcting of Assessments and Refunds of Taxes*. In relation to proposed Resolution No. 640, *Allocating a Portion of Funding Earmarked for Invasive Species in the 2014 County Budget to Lake George with the Remaining Funding to be Allocated to Other Lakes within Warren County*, approved by the Invasive Species Sub-Committee, Mr. Monroe advised the Finance Committee had considered a referral from the Invasive Species Sub-Committee requesting a source of funding be determined for consultant services relative to the environmental impact statement required in association with the proposed local law for County-wide mandatory boat inspections and washes. He recalled Mr. Dickinson's prior comments that an RFP had been released for the consultant services but the resulting bids had been very high and beyond their funding abilities. Mr. Monroe opined it was critically important to move forward with this initiative in some way and he said he had made the suggestion that \$50,000 of the \$300,000 included in the 2014 Budget for the invasive species program be contributed to start this work and he said he believed this idea would be discussed further at future meetings.

Mr. Monroe reported that on December 18th he had attended a meeting with Chairman Geraghty at the NYSDEC (*New York State Department of Environmental Conservation*) offices in Warrensburg to discuss

the North Country National Scenic Trail initiative. He explained that the trail would begin in North Dakota and travel through Minnesota, Wisconsin, Michigan, Ohio, Pennsylvania and New York, ending at the Crown Point Bridge. Mr. Monroe noted that although a few different trail routes had been mapped out, they had finally settled on a preferred route; however, he said, there was a long stretch of the Trail in New York which did not come close to any communities and efforts were being made to revise the route in order to bring it closer to the hamlets located nearby to increase the benefits to the communities, as well as to offer amenities to trail users.

With respect to the classification of the former Finch Pruyn Lands, Mr. Monroe advised representatives from the Adirondack Local Government Review Board, the Adirondack Association of Towns & Villages, and the three towns primarily affected (*Minerva, Newcomb and Indian Lake*) had held numerous meetings with the Governor's Office, NYSDEC and the APA (*Adirondack Park Agency*) to discuss issues and set goals for the classification of the lands. One of the goals, he continued, had been to include a snowmobile trail between Indian Lake, Minerva and Newcomb, the key to which had been retention of a bridge over the Hudson River that the environmental groups had advocated for the removal of, as well as to rebuild the bridge that had formerly spanned the Cedar River but had washed out many years ago. Another goal, Mr. Monroe said, had been to gain reasonable handicap access to the water bodies in the area of the former Finch Pruyn Lands. He advised the APA had voted on the classification during the prior week and he believed many of the goals set had been attained, although he noted that the classification still had to be approved by NYSDEC. Mr. Monroe thanked Governor Cuomo, Senator Little and Assemblyman Stec for their support. Lastly, he thanked Governor Cuomo for his support of the mandatory boat inspection and decontamination project in Lake George.

Mr. Girard thanked the outgoing members of the Board of Supervisors for their service, stating that they had all earned his respect for their diligence, work ethic and the manner in which they had conducted themselves. He said that each would be sorely missed and he was thankful he had gotten the opportunity to know them. Regarding the November 26th meeting of the County Facilities Committee, Mr. Girard reported that four resolutions had been approved, represented by proposed Resolution Nos. 666-669 in the resolution packet. He pointed out proposed Resolution No. 666, *Determining that the Runway 1 Obstruction Removal at the Floyd Bennet Memorial Airport will not have a Significant Impact on the Environment and Authorizing Issuance of a Negative Declaration under the New York State Environmental Quality Review Act*, noting that it would allow the obstruction removal work required by the FAA to be commence. Mr. Girard advised a meeting had been held with FAA representatives a few weeks ago to discuss the project and they had been advised the FAA was happy with the progress being made. During this meeting he said they had also learned the due to a lack of obstruction removals, the Saratoga County Airport was no longer able to have nighttime flights into their facility. Mr. Girard stated that the FAA was becoming more strict in enforcing their requirements and for this reason he was glad the obstruction removal work was proceeding at the Warren County Airport.

Mr. McDevitt advised a short meeting of the Mental Health Committee's Children and Youth Sub-Committee had been held to review a new program covering Warren, Washington and Saratoga Counties which was basically a home-based crisis intervention program for families with children ages 5 to 17. He said this was an intensive four to six week service offering constant on-call availability of therapists to help families manage crisis and provide support. Unfortunately, Mr. McDevitt stated, over the last couple of years there had been some rather tragic cases of child abuse in this area and this program, which was one of only four or five available in the State of New York, would attempt to educate people and sensitize parents to the appropriate ways in which children should be raised. Concluding his report, Mr. McDevitt thanked Supervisors Bentley, Loeb, Mason, Montesi and Strainer for the

intelligence they had brought to the Board of Supervisors and he wished them all the best in their future endeavors.

Mr. Taylor advised the Economic Growth & Development Committee had met on November 25th, approving proposed Resolution No. 657, *Amending Resolution No. 589 of 2013; Authorizing Submission of Applications to New York State Housing Trust Fund Corporation for Community Development Block Grant Funds under the Small Cities Program*, which would essentially allow a public hearing to be scheduled for January 3, 2014 in association with the submission of an application to the New York State Housing Trust Fund for a \$750,000 grant. He stated that there were no resolutions approved for Economic Development, but mentioned that although they were starting to see activity amongst larger businesses in the area, there was not much happening for the smaller businesses. Mr. Taylor reported that the LDC (*Local Development Corporation*) had loan funds available and he encouraged anyone who knew of a small business that might qualify to refer them to the LDC. With regards to the December 11th Personnel Committee meeting, he apprised proposed Resolution Nos. 685 - 688, 719, 726, 727 and 732 had been approved and he provided a brief review of each. Finally, Mr. Taylor noted that the Support Services Committee had met on November 20th, approving proposed Resolution Nos. 722 - 725 and 730, which he outlined briefly.

Mr. Loeb advised the Social Services Committee had met on November 26th, addressing routine matters to continue the good work the Department provided for Warren County. As he left the Chairmanship of the Social Services Committee, Mr. Loeb said he was proud to state that over the past few years the Department had become stronger, as many others had, as well. He continued that he had begun working in the political arena in 1981, spending most of his time working on City of Glens Falls issues, but noted it had been an honor, an education and a great opportunity, to spend the last four years serving the Board of Supervisors. He introduced his successor, Supervisor-elect Jim Brock, wishing him luck and encouraging him to work hard and do a good job. A round of applause was given. Mr. Loeb stated that mostly, he would miss the comradery he had enjoyed with his fellow Board members, even in light of all the stress they sometimes endured. In closing, he wished everyone a Merry Christmas and a wonderful 2014.

Continuing the agenda review, Chairman Geraghty called for the report by the County Administrator. Mr. Dusek reminded the Board members of the vacancy created by the retirement of the County's former Information Technology Director and he noted that the deadline for submission of applications for the position had passed. He said 19 applications had been received which they were beginning to review; he added that the next step in this process would be to meet with the Personnel Committee chairman to coordinate interviews that would be held during subsequent Committee meetings. In the meantime, Mr. Dusek reported that the remaining Information Technology staff was doing a good job of keeping the Department going, but noted there were some critical dates approaching, one of which was the April 9th deadline marking expiration of the Windows XP program which some County Departments were still using. He advised that most of the County staff had already been upgraded to newer programs and the IT Department was aggressively working to make sure everyone was upgraded to newer programs before April 9th. Mr. Dusek further advised there were also some upcoming issues with the email system currently in use that would need to be addressed, as well. He commented that since Mr. Metthe's retirement he had been afforded the opportunity to work directly with the Information Technology staff and learn what an impressive service this group provided.

Mr. Dusek advised that at the last Department Head meeting he had introduced a new initiative known as an Operations Efficiency Initiative which would involve his staff working with the individual Departments to look at operations, delivery of services and further efficiencies and cost savings that

could be gained. He noted that the Departments had been doing some of this work independently, so this new initiative would be an extension of those efforts but would be more exacting and would include comparisons to County Departments to private sector businesses. Mr. Dusek stated that one of the primary goals would be to use this process to meet the Budget Officer's goal of achieving a 0% property tax increase; he added that increasing revenues would help to reach the goal, but he felt that further reductions in costs were necessary to achieve it. Mr. Dusek advised that updates on the program would be provided as they progressed and he noted that they were very fortunate to have a group of cooperative Department Heads eager to participate and help find savings within the existing budgets. In closing, Mr. Dusek advised an executive session would be required at the close of the meeting to discuss the employment history of a particular person and matters leading to the appointment of a particular person.

Chairman Geraghty announced the next agenda item called for the report by the County Attorney. Mr. Auffredou distributed copies of a document entitled "Warren County - Westmount Health Facility Task 1: Cash Flow Analysis", a copy of which is on file with the Clerk of the Board. He noted this was simply a cash flow analysis provided at Mr. Dusek's request to assist in providing an understanding as to whether it was more sensible to continue with the co-generation facility or return to the electrical grid; he added that this was not a Siemens performance evaluation report and noted that report would be provided in the future. Mr. Auffredou advised the analysis included a considerable amount of information and several varying scenarios, a few of which he proceeded to describe. He asked the Board members to review the analysis document at their leisure and contact him with any questions they might have. Mr. Auffredou stated that this was a critical tool for negotiating the sale of the Westmount Facility and he said they would be talking about the analysis more in the coming weeks.

Mr. Dusek stated he had requested this report in consideration of future lease payments and State reimbursements to determine whether it was sensible to continue operation of the co-generation facility in the future; he added it was his understanding that if the County wanted to continue receiving reimbursements from the State, they had to continue operation of the co-generation facility. He said that in his opinion, according to the information provided in the cash flow analysis, it did make sense to continue the operations, at least through the year 2021 to capture the State reimbursements available. Mr. Dusek pointed out that whether the County would continue to make lease payments and receive reimbursements would be a discussion for another day, following a full presentation to the Health Services Committee by the engineering staff the County had hired to review the co-generation facility. He advised Mr. Auffredou was currently reviewing all of the information available in preparation for the presentation, which he said he hoped would be held in the near future because this issue tied into the projected sale of the Westmount Health Facility, which would also be discussed. Mr. Dusek concluded that for the time being, this report provided himself and the negotiating team with the information necessary to continue to work on the negotiations for the sale of the Westmount Health Facility and to prepare their more detailed presentation for the Health Services Committee.

Mr. Montesi pointed out that when the initial agreements were signed with Siemens for the co-generation facility there was a concept of the savings that could be attained that had sold the Board on this concept and he questioned how close they had come to reaching these projected savings. Mr. Dusek responded that this information would be included in the study being performed by the outside engineering agency and received in the second phase of the reporting process.

Mr. McDevitt asked if any reimbursements from the State of New York had been received and Mr. Dusek replied affirmatively, but advised all of the reimbursements expected had not been received as the County had been required to appeal for the reimbursements each year, causing the process to be

delayed a few years. He apprised that Saratoga County had faced the same reimbursement issues, leading them to an appeal process, and this action had prompted Warren County to do the same. Mr. Dusek stated that there were some concerns that this reimbursement process would be fairly lengthy, but said he hoped that once a regular routine was established they could be expedited.

Privilege of the floor was extended to Travis Whitehead, Town of Queensbury resident. Mr. Whitehead stated that the reports included many numbers, as had many of the previous reports Siemens provided over the years and he noted that in reviewing prior Committee minutes where the reports were presented, invariably someone pointed out that the information provided was difficult to understand if one did not have an engineering background and he opined this was the purpose of the engineers, to baffle the Committee with figures; speaking as an engineer himself, he added that a good engineer could provide the report in simple terms that everyone could understand. Mr. Whitehead continued that he wanted to make one point in relation to the possibility of the co-generation facility starting to payoff post 2021; he asked the Board to consider that the facility included three diesel engines, two of which typically ran 24 hours per day, 7 days per week while one of the three was undergoing major rebuilds, and he noted that these engines incurred the same use as a diesel truck traveling 500,000 miles per year, for the past 8 years. Mr. Whitehead stated that while it was not unreasonable to expect 1 million miles of usage from a decent diesel engine, which the ones in place at the Westmount Health Facility were, after the major rebuilds that had been undertaken for the three engines in place, it was unreasonable to expect they would still be in usable condition beyond the year 2021. He advised that when a similar analysis was performed for a facility in Saratoga County, the economics had been twisted by the fact that they had a fixed price maintenance in place with Siemens costing about \$70,000 per year, similar to the rates Warren County currently paid; however, he said, once Saratoga County's contract expired, Siemens increased the maintenance costs significantly, ceasing any benefit of the facility. Mr. Whitehead continued that Saratoga County had sought out other parties to provide the maintenance work and had found that while there were some willing to provide the services for minimally less, none were willing to replace the engine equipment. He concluded that he would review the cost analysis document provided and attempt to point out deficiencies, but reiterated that a large concern to be considered was the future state of the equipment currently in place.

Mr. Dusek clarified the report indicated a fairly constant low cost through 2021 and he said he had not made any recommendation that the co-generation facility maintain operations post 2021. Additionally, he noted that the County was considering a sale of Westmount and therefore future operations of the co-generation facility after that sale would not be the County's concern. Having stated that, Mr. Dusek said the most important point to take note of was that the outside engineering review would include a complete presentation addressing every aspect of the co-generation facility and answering every question posed for the Committee, as well as every aspect of the sale presented so that the Board of Supervisors could make the best decision for the County. He advised this was only one aspect of the information to be provided and no decisions could be made until the remaining information was provided. Mr. Dusek assured the Board Members that an engineer would be present to provide information and answer questions in plain English; therefore, he added, although the presentation would likely be lengthy, it would be understandable.

Mr. Girard asked if the presentation would include information pertaining to the prior benefits the co-generation facility had provided to the former Social Services Building, as well as whether the system would have been implemented if such a building had not been in place. Mr. Dusek said he was not prepared to comment on this point as it was up to the engineers to make such a determination; however, he noted, the co-generation facility had been constructed with a different building configuration than was currently in place, having been intended to power both Westmount and the

former Social Services Building. He concluded that this issue would be the subject of a portion of the engineer review, as well as to make a determination on whether the County had gained or lost money through this venture. Mr. Auffredou commented that when he had spoken with the consulting engineers one of the first issues they had identified as needing to be addressed was the change in the building configuration, leading them to perform a historical review of the site. He added that he knew this was one of the points they intended to address and advised their research was ongoing and included meeting with Siemens representatives. Mr. Auffredou agreed that the main point of the review and subsequent presentation would be to provide the Board of Supervisors with all of the information they needed to make an informed decisions relating to the co-generation facility and Westmount Health Facility.

Resuming the agenda review, Chairman Geraghty called for the reading of communications, which Mrs. Sady read aloud, as follows:

Minutes from:

1. Warren/Washington Counties Mental Health and Chemical Dependency Subcommittees;
2. Warren/Washington Counties IDA, Executive/Park and Civic Development Committees;
3. Warren County Jury Board.

Monthly Report from:

1. Probation.

Capital District Regional Off-Track Betting Corp., October 2013 surcharge in the amount of \$5,491 and August 31 and September 30 Financial Reports;

Warren/Washington Counties IDA; 2014 Final Budget for the IDA and Civic Development Corporation.

Moving on to the next agenda item, Chairman Geraghty called for the reading of resolutions. Mrs. Sady announced proposed Resolution Nos. 630 - 721 were mailed and she noted that proposed Resolution Nos. 632, 640, 649 and 714 were amended after mailing. She advised a motion was needed to approve proposed Resolution Nos. 632, 640, 649 and 714, as amended. Motion was made by Mr. Conover, seconded by Mr. Dickinson and carried unanimously to approved the revised resolutions, as presented.

Mrs. Sady stated a motion was needed to bring proposed Resolution Nos. 629 and 722-733 to the floor; the necessary motion was made by Mr. Conover, seconded by Mr. Dickinson and carried unanimously.

Chairman Geraghty announced there were more than 20 resolutions requiring a roll call vote, and unless there were any objections, he proposed that they do one roll call vote for all of them. Mr. Auffredou confirmed it was possible to hold one omnibus vote for all of the resolutions, but noted separate roll call votes could be taken for any resolution a member of the Board requested one be taken for. Although there were no objections to the omnibus vote, Mr. McDevitt requested a separate roll call vote be taken for proposed Resolution No. 659, *Authorizing Agreement with Correctional Medical Care, Inc. to Provide Medical, Behavioral Health, Dental and Ancillary Services to Inmates Confined in the Warren County Jail*. Mr. McDevitt opined that the delivery of health care services, as well as the quality and control of long term costs, were best served by remaining with a local provider.

Mr. Thomas called the Board's attention to proposed Resolution Nos. 715, *Awarding Bid and Authorizing Agreement with American Legal Publishing Corporation for Codification Services, Publication and Supplement Services (WC 046-13)*, and 717, *Authorizing the Appropriation of Funds from the General*

Fund Unappropriated Surplus to Administration & Fiscal Services, Contract; Amending 2013 Warren County Budget. He noted that proposed Resolution No. 715 sought to award a bid to American Legal Publishing Corporation for codification services, but did not list a cost for those services, while proposed Resolution No. 717 would appropriate funds in the amount of \$1,261 for the contract and he questioned whether this was the total contract amount. Mrs. Sady replied in the negative, noting that there were two resolutions addressing this contract, one appropriating funds from the General Fund Unappropriated Surplus (*proposed Resolution No. 717*) and another authorizing a transfer from the Contingent Fund (*proposed Resolution No. 629*) for the balance. Mr. Dusek apologized for the oversight in not including the contract costs in proposed Resolution No. 715 and he advised the base cost for the contract was \$12,995, assuming a particular given number of pages for all of the information codified; therefore, he added, if the page number increased the amount could be higher. He continued that the base price also included a specified number of copies to be delivered and a digital copy provided on a cd. Mr. Dusek advised other costs would be incurred in addition to the base price of \$12,995, such as \$695 plus travel fees for each time representatives had to travel to Warren County to review the document; he added that they had only planned for one of these visits. He clarified that the resolution should have been written to reflect a \$12,995 base fee for the codification work, plus \$695 and any travel fees for each visit. Mr. Dusek reminded the Board members that the work could potentially exceed the base fee if the number of pages in the actual codified document exceeded the quoted figure and he advised that while estimates from two different companies indicated that the document would be in the 800-page range, it could be more, at which point he would place a request for additional funding.

There being no further discussion, Chairman Geraghty called for a vote on resolutions; Mrs. Sady announced the resolutions that would be included in the omnibus roll call would be proposed Resolution Nos. 629, 630, 685, 689-699, 702-705, 708, 710, 711, 716, 717, 726 and 732. The vote on resolutions was held, following which Resolution Nos. 629-733 were approved, as presented; a Certificate of Appointment appointment member of the Saratoga-Warren-Washington Counties Workforce Investment Board was submitted.

Chairman Geraghty noted that in prior years, the Board of Supervisors had authorized the closing of County Offices at 3:00 p.m. on December 24th and December 31st; he noted that if the Board was in favor of authorizing this change for the upcoming holidays, a motion would be necessary to waive the Rules of the Board requiring a resolution be presented in writing, as well as to approve the early closure.

Motion was made by Mr. Girard, seconded by Mr. Bentley and carried unanimously to waive the Rules of the Board. For the record, Mrs. Sady noted this would be Resolution No. 734.

Motion was made by Mr. Girard, seconded by Mr. Bentley and carried unanimously to authorize the early closing of County Offices at 3:00 p.m. on December 24 and January 31, 2013. For the record, Mrs. Sady noted this would be Resolution No. 735.

Chairman Geraghty stated the closure of Warren County's Bicentennial celebration, noting that throughout 2013 many events had been held by both the Towns and County to commemorate the County's 200th Anniversary. He thanked the Bicentennial Citizens Advisory Committee, as well as Pam Vogel, County Clerk, and Ann McCann, County Historian, for their many hours of hard work and dedication to ensure that our County's celebration was a resounding success. A round of applause was given.

Chairman Geraghty called for announcements; none were made.

Moving on, Chairman Geraghty offered privilege of the floor to any members of the public wishing to address the Board.

Returning to the point Mr. Girard had raised with respect to the former Social Services Building and how its presence, and subsequent removal, affected the co-generation facility, Mr. Whitehead stated that to understand the effect of the co-generation system, one must understand that the system made use of waste heat produced during the generation of electricity. He explained that for every unit of energy put into the engines, 1/3 would be returned as electricity, while the remaining 2/3 was returned as heat and he noted that if they could discover a way to make use of the waste heat, the facility would be considered a success. The problem with this, Mr. Whitehead advised, was that the Westmount Health Facility only required heat during the winter months, making the co-generation facility efficient in the winter, but not in the summer, and that is why he deemed this to have been a poor choice that should not have been constructed in the first place. He continued that the former Social Services Building presented an even worse scenario because while it consumed electrical energy, it used no waste heat at all because it used electric heat; he added that by removing the former Social Services Building, they had actually reduced the losses sustained, which was a good thing. Mr. Whitehead recalled prior statements made by Mr. Dusek that this was part of their plan and he said he would be careful to say this because the Certificate of Need statement submitted to Medicaid very carefully stated that it was not the intent to power the former Social Services Building, and if it had been, Medicaid would likely discount the amount of funding provided because the organization had no interest in powering the former Social Services Building.

Mr. Girard agreed that the former Social Services Building had used electric heat, but questioned whether the co-generation facility could have been more efficiently used if the new Human Services Building had been constructed on the site of the former building, rather than in its present location on the Municipal Center campus. Mr. Whitehead responded that it could have been, if they had incorporated a boiler system or some other facility that would use heat during the summer months. He noted that very early on options had been researched to try and use the wasted heat during summer months, one of which had been the installation of an absorption chiller which had turned out not to be a good idea and had been removed from the plans, possibly causing the system to be as unbalanced as it was currently.

Mr. Whitehead stated a second issue he wished to introduce related to the Runway 30 land acquisition process. He said he had taken time to examine this matter and agreed the County had made some good decisions on the project from the time that the problem was first identified in 2005 until July of 2012. Mr. Whitehead recapped the situation, indicating that the County had likely tried to cut trees and received a complaint from a property owner, leading them to research ownership of the property in question and discover that the map detailing the easement purchased was missing. He stated that this matter was dropped for a number of years, but was resurrected in 2011 as referenced by Resolution Nos. 100 and 429 of 2011, both of which indicated that the costs to purchase the easements on the five parcels in question would be a total cost of \$50,000, not a \$50,000 Local Share; he pointed out that Resolution No. 429 indicated the Local Share for Warren County would be \$1,250, which he felt would be a reasonable amount to resolve the situation. Mr. Whitehead continued that later in 2011, the County had authorized the hiring of C&S Engineers to perform land appraisals which had subsequently been much higher than anticipated, totaling an amount in the range of \$700,000.

Mr. Whitehead stated that due to the considerable increase in value, at this point the process should

have been delayed to further research and determine why the easement costs had increased so drastically; he said that Mr. Dusek had been right on top of the issue and had spoken out at the July 3rd 2012 County Facilities Committee meeting and he proceeded to read an excerpt from the meeting minutes, as follows:

“Mr. Dusek stated he believed there was an easement on record for either the Charon Trust property or the Sicard property. Mr. Tennyson concurred that there was an existing easement and questioned if it would impact the purchases. Mr. Dubarry clarified the existing easement referenced a map that could not be located and without the map the easement was not enforceable. He said he had requested the County Attorney's Office to continue attempting to locate the map which dated back decades and pertained to a much larger parcel prior to subdivision of the property by a previous owner. Mr. Dusek asked if there was a written opinion by the County Attorney's Office which stated that the existing easement was not enforceable and Mr. Dubarry replied in the negative but noted the County Attorney had stated such verbally. Mr. Tennyson advised they would pursue the existing easement as far as possible and would only make the offers if the existing easement was deemed to be unenforceable. He voiced his concern pertaining to the possibility of pursuing the existing easement and not meeting the FAA Grant application deadline. Mr. Dusek said if the existing easement was valid then the just compensation amounts would be reduced. He suggested the resolution requests be approved contingent upon review by County Attorney with regard to any possible existing easement agreements. A brief discussion ensued.

Mr. Loeb amended his motion to include that it would be contingent upon review by County Attorney ...”

Mr. Whitehead stated that he had talked with Mr. Auffredou about this issue and indicated he had learned of this for the first time just about a week ago. Mr. Auffredou responded that if this was the indication he gave, it was incorrect. He advised the manner in which he had learned of this was first thing on a Monday morning when he received a telephone from *Post Star* reporter Don Lehman vaguely questioning the lost map; he added that because he did not know exactly what Mr. Lehman was asking about, he did respond that he was unaware of the issue. Mr. Whitehead apologized for his misstatement and said given this information, he assumed Mr. Auffredou had not been made aware of the issue at hand in July of 2012, to which Mr. Auffredou responded this was incorrect. Mr. Auffredou advised he had been notified in July of 2012 and had subsequently discussed the issue with both Jeffery Tennyson, Superintendent of Public Works, and Ross Dubarry, Airport Manager, before embarking upon research to find the map, ultimately leading him to the same conclusion as his predecessors that the map could not be found. Mr. Auffredou stated that as he had indicated earlier, he would attempt to find the map, once again.

Chairman Geraghty pointed out that Mr. Auffredou's findings would be reported upon at the next County Facilities Committee meeting. He noted that the Board needed to continue to conduct other business, and in the interest of time, he suggested that Mr. Whitehead provide his written comments so that they could be reviewed and addressed at the meeting, as well. Mr. Whitehead responded that he had been offered privilege of the floor and would like to continue his statements, and Chairman Geraghty countered that the Board had the option of placing a time limit on the statements made. Mr. Whitehead requested another moment to complete his statements and Chairman Geraghty conceded.

Mr. Whitehead said it galled him when Mr. Girard stated this problem could be solved by expending \$50,000 of County dollars and it seemed the remaining \$950,000 did not count. He stated it was not just the money spent locally, but the remaining funding contributed based on assessments to airlines

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through ticket purchases and he said the County should feel some responsibility to ensure those funds were well spent also. Chairman Geraghty thanked Mr. Whitehead for his comments and Mr. Girard pointed out once again, the only cost to the Warren County taxpayer for the easement acquisitions would be \$50,000.

Dr. Fredd Senser-Lee, PhD, Founder of Botanical Blossomings on the Bikeway USA (*BBB-USA*), thanked the members of the Board for allowing him to speak at their meetings in 2013 and he also thanked the volunteers that had worked on the *BBB-USA* project alongside him. In addition, Dr. Senser-Lee thanked the outgoing Supervisors for their cooperation, extending his best wishes to them, and he welcomed the new members of the Board. Finally, he wished everyone in attendance Happy Holidays.

Chairman Geraghty reminded the Board members that an executive session was necessary to discuss the employment history of a particular person, as well as matters leading to the possible appointment of a particular person.

Motion was made by Mr. Merlino, seconded by Mr. Montesi and carried unanimously to enter into an executive session pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 12:05 p.m. until 12:42 p.m.

Upon reconvening, Chairman Geraghty announced no action had been taken during the executive session.

Motion was made by Mr. Montesi, seconded by Mrs. Frasier and carried unanimously to waive the Rules of the Board requiring that resolutions be presented in writing. For the record, Mrs. Sady noted this would be Resolution No. 736.

Motion was made by Mr. Monroe, seconded by Mr. Bentley and carried unanimously to amend the Table of Organization and Warren County Salary and Compensation Plan for 2014 to set the salary of the First Assistant Public Defender at \$82,000. For the record, Mrs. Sady noted this would be Resolution No. 737.

Motion was made by Mr. Montesi, seconded by Mr. Dickinson and carried by majority vote, with Mr. Strainer abstaining, to approve a resolution authorizing an agreement to retain the legal services of Bartlett, Pontiff, Stewart & Rhodes, P.C. to provide legal services pertaining to the impact negotiations with CSEA relating to the sale of the Westmount Health Facility, as well as the real estate conveyance of the Facility, at an amount not to exceed \$4,000 per month, with a minimum required payment of 11 months, and a maximum of 15 months, commencing upon notice to proceed from the County Attorney; funding for this contract is to be expended from the appropriate Westmount Health Facility budget codes. *Resolution No. 738.*

Chairman Geraghty announced the annual Organization Meeting would be held on January 3rd at 11:00 a.m. and he invited everyone to congregate in the Supervisors Kitchen following the meeting to have cake in honor of Supervisor Bentley's retirement. Additionally, he noted that the Tax Warrants were complete and he asked the supervisor of each Town to stop by the Real Property Tax Services Office before leaving that day to pick them up.

There being no further business to come before the Board, on motion made by Mrs. Frasier and seconded by Mr. Dickinson, Chairman Geraghty adjourned the meeting at 12:45 p.m.