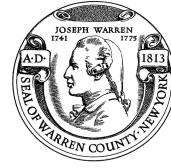


# Warren County Board of Supervisors

**BOARD MEETING  
FRIDAY, FEBRUARY 21, 2014**



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 Simpson.

Roll called, the following members present:

Supervisors Conover, Monroe, McDevitt, Brock, Frasier, Simpson, Vanselow, Strough, Seeber, Sokol, Beaty, Westcott, Thomas, Wood and Geraghty - 15; Supervisors Girard, Taylor, Kenny, Dickinson and Merlino, absent - 5.

Motion was made by Ms. Wood, seconded by Mrs. Frasier and carried unanimously to approve the minutes of the January 17<sup>th</sup> Board Meeting, subject to correction by the Clerk of the Board.

Commencing the agenda review with the Report by the Chairman of the Board, Chairman Geraghty read aloud the listing of meetings he had attended over the past month, a copy of which is on file with the items distributed at the Board Meeting. Referring to the EDC (*Economic Development Corporation*) Breakfast he had attended on January 29<sup>th</sup>, Chairman Geraghty advised he had found the presentation by Investment Expert Hugh Johnson regarding the economy and economic trends to be very interesting and he noted it appeared the economy in Warren County was better than average. He advised he had also attended the Association of Towns of the State of New York's 2014 Annual Meeting and Training Event held in New York City earlier that week, during which he said he had learned of the future challenges that would be faced relating to Governor Cuomo's proposal for property tax reductions. Chairman Geraghty advised these changes would impact every taxing entity in Warren County and he noted initial indications reflected a \$5.2 million reduction in Warren County's operating budget would be necessary to meet the Governor's goals. The good news, he continued, was that Warren County had been doing a good job of remaining beneath the 2% property tax cap, as had most of the towns in Warren County and the City of Glens Falls, and he said they would have to carefully plan future budgets to maintain this status.

Proceeding with the agenda review, Chairman Geraghty called for reports by Committee Chairmen on the past months meetings or activities and the following were given: Supervisor Sokol, Health Services; Supervisor Thomas, NYSAC (*New York State Association of Counties*) Legislative Conference; Supervisor Wood, Public Safety and County Facilities; Supervisor Conover, Finance; Supervisor Monroe, Gaslight Village Ad Hoc and Real Property Tax Services; Supervisor McDevitt, County Clerk-Motor Vehicles; Supervisor Taylor, Support Services and Personnel; Supervisor Frasier, Human Services.

Ms. Seeber stated that although she had no Committee report to make, she would like to note that over the past month she had continued to meet with different County Departments to learn the functions of each. She then proceeded to thank Joan Sady, Clerk of the Board, for her efforts in developing a list identifying the days of the month that certain Committee Meetings were typically scheduled, noting this would be very helpful.

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Mr. Sokol apprised the Health Services Committee had met on January 23<sup>rd</sup> to discuss a short agenda which had consisted primarily of typical contractual items. He pointed out proposed Resolution No. 113, *Authorizing an Incentive Compensation Program with Regard to Per Diem RN's, LPN's and CNA's at Westmount Health Facility and Ratifying the Actions of the Administrator of Westmount Health Facility*, which had been approved for presentation via an out-of-Committee request. Mr. Sokol explained this would allow for appropriate staffing at Westmount and he noted that other similar facilities in the area were offering sign-on bonuses in the range of \$800 to \$1,000 making this a much more competitive market. He said there was a need to fill positions and maintain staffing levels and this new program would allow them to do so while providing incentive compensation for those who were willing to work extra hours. Mr. Sokol cautioned that if this resolution was not approved, it was likely that they would need to hire agency employees and he noted that when this approach was taken in the past considerable agency fees had been incurred. He concluded that he hoped his fellow Board Members would vote in favor of proposed Resolution No. 113.

Mr. Taylor entered the meeting at 10:08 a.m.

With reference to the NYSAC Legislative Conference held on February 3-5, Mr. Thomas advised that during the Conference, a meeting of NYSAC's Economic Development and Rural Affairs Committee, on which he served as a member, had been held. He noted that two resolutions were discussed, one of which pertained to support of the Farm Bill, which had been a moot point because the Federal Government had already approved it, and the second related to contaminated properties, similar to those Warren County had been dealing with for several years. In closing, Mr. Thomas advised a meeting of the Budget Committee had been scheduled for March 5<sup>th</sup> at 9:30 a.m. to discuss additional funding for highway paving and he invited all Supervisors to attend.

Ms. Wood advised the Public Safety Committee had met on January 24<sup>th</sup>, discussing typical business matters. She noted that immediately following the meeting, a tour of the Jail facility had ensued, which many Board Members had attended. Ms. Wood stated her opinion that this tour experience would prove helpful as the Board discussed the Jail staffing analysis and she thanked all those who had participated. In Supervisor Girard's absence, and speaking as Vice Chairman of the County Facilities Committee, Ms. Wood advised that during the January 30<sup>th</sup> County Facilities Committee several Judges from the Warren County Courts had attended to comment on their space needs and she advised Judge Breen had supplied copies of the September 2010 report regarding the Court area. She added that additional copies of this report could be obtained from Judge Breen by anyone wishing to review it and she advised they would be holding further discussions on the Courts space needs in the coming year.

Mr. Conover stated the Finance Committee had met on February 12<sup>th</sup>, approving proposed Resolution Nos. 49, 50 and 97 - 108, most of which pertained to typical County business. He drew the Board's attention to proposed Resolution No. 101, *Authorizing Interfund Loan to Westmount Health Facility to Cover Cash Flow*, which would authorize the loan of an additional \$1 million to Westmount Health Facility to assist with cash flow needs while awaiting the receipt of 2014 IGT (*Inter-Governmental Transfer*) funds. Mr. Conover advised that this additional loan would bring the total amount advanced to Westmount for cash flow purposes to about \$3.9 million. He noted that as part of this action, the Finance Committee had asked that letters be sent to the appropriate legislative representatives regarding the lack of IGT funding and the potentially devastating effects this situation could have on Warren County's financial future if the funding was not received and he asked Mrs. Sady to ensure that these letters were sent out as quickly as possible. Finally, Mr. Conover thanked his fellow Board Members for their thoughts on the amounts paid to the towns for maintenance of County roads and the formula used to determine what those reimbursements would be. He advised that this maintenance

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work included snow and ice operations, as well as grass/brush cutting, and he noted that while the towns should not be making money for this work, they should not be incurring a loss either. Mr. Conover concluded that the DPW staff was currently performing additional research and review of the current formula to determine what changes could be made for improvement and he said he would keep the Board apprised of any new information on this matter as it was received. With regards to the IGT funding issue, Chairman Geraghty commented that Don Lehman, of *The Post Star*, had done a great job of researching the matter and reporting the facts in a recent newspaper article.

Mr. Monroe said the Gaslight Village Ad Hoc Committee had met on January 28<sup>th</sup> to discuss the Park construction schedule and he apprised that the construction contractor, VMJR Companies, had started construction in December and worked through mid-February, before vacating the site; he added that they would resume work in April. Mr. Monroe noted that Robert Blais, Mayor of the Village of Lake George, had attended this meeting and advised the Village had authorized the borrowing of \$1 million to support their cashflow needs while awaiting reimbursements from the grants and donations that would ultimately cover the entire cost of the construction project. He advised the Real Property Tax Services Committee had met on January 28<sup>th</sup> to discuss typical housekeeping business.

Mr. Monroe reported he had been serving on the Governor's North Country Health Redesign Commission since December and had attended meetings in December, January and February. He said these meeting included a very compressed schedule consisting of reports from the New York State Department of Health (*NYSDOH*), as well as different consortiums of hospitals and doctor practices. Mr. Monroe advised the mandate from the Governor's Office to the *NYSDOH* Commissioner indicated that the Redesign report should be completed by the end of March and he said he was trying to keep any eye on the impacts to the Adirondack region. One concern identified, he commented, was that this process seemed to be moving in the direction of larger scale integrations of services which would be hard to take advantage of in areas with confining populations, such as in the Adirondacks, and he said it was important to note that not all portions of the North Country maintained the same characteristics.

With reference to information provided at the January 24<sup>th</sup> County Clerk-Motor Vehicles Committee Meeting and the February 12<sup>th</sup> Finance Committee Meeting, Mr. McDevitt pointed out proposed Resolution No. 111, *Resolution Opposing the use of Warren County's Name and/or Seal by New York State on Pistol Permit Recertification Notices and other Safe Act Communication*. He advised that on January 15, 2013 Governor Cuomo had signed the Safe Act into law and he opined this was not a good day for elected officials as the legislation was approved within 24 hours with no public discussion, resulting in a lot of confusion. Mr. McDevitt commented that it was the duty of the staff in the County Clerk's Office to serve the public, obey the law and create a reasonable experience for people coming in to pay a fee and conduct business with the County Clerk's Office; he added that Safe Act put these employees in a difficult situation and politicized their jobs, which he felt was not the approach that should be taken. Mr. McDevitt concluded that they should not be proud of the actions taken to pass the Safe Act and he asked for support of proposed Resolution No. 111.

Mr. Taylor announced the Support Services Committee had first met on January 23<sup>rd</sup>, during which proposed Resolution No. 55, *Authorizing Agreement with Time Warner Cable to Increase Internet Bandwidth from 5MB to 10MB for the Information Technology Department*, had been approved. He advised the Support Services Committee had held subsequent meetings on February 6<sup>th</sup>, 7<sup>th</sup> and 13<sup>th</sup> to hold interviews for the vacant Information Technology Director position, following which they had made the recommendation to appoint Michael Colvin, a 16-year County employee, to the position and he noted that Mrs. Sady was distributing proposed Resolution No. 114 which would approve this appointment. Mr. Taylor advised the Personnel Committee had met on February 12<sup>th</sup>, approving

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proposed Resolution Nos. 83-96, which he outlined briefly.

Mrs. Frasier advised the Human Services Committee had met on January 23<sup>rd</sup> to discuss business from the Employment & Training Administration and the Office for the Aging. She said a budget amendment and authorization to attend a meeting or convention had been approved for the Employment & Training Administration, while proposed Resolution Nos. 78-82 represented business addressed for the Office for the Aging.

Chairman Geraghty announced the next agenda item pertained to the report by the County Attorney and Martin Auffredou, County Attorney, advised he had nothing to report.

Privilege of the floor was extended to Ruth Lamb who was in attendance to advise the Board Members of an upcoming Organics Management Workshop that would be held on April 4<sup>th</sup>. She noted the purpose of this meeting would be to detail how to carry out community composting of landscape materials and other organics and she advised resulting mulch and compost could potentially be offered for sale. Ms. Lamb stated this meeting was open to members of the Warren County Board of Supervisors, as well as County/Town employees and residents and she provided a brief outline of the points the Workshop would cover. Ms. Lamb commented the Workshop would be sponsored by the Public Works Committee and she noted that if there were any additional issues anyone would like to be discussed, they should forward them to a member of the Public Works Committee for inclusion. *A handout advertising the Organics Management Workshop is on file with the items distributed at the Board Meeting.*

Mr. Beaty noted that at the last Invasive Species Sub-Committee Meeting there had been some discussion about whether the County had the ability to provide public funding for invasive species eradication efforts for a lake that did not offer public access and he questioned whether any further research on this issue had been performed. Mr. Auffredou responded he did recall introducing this issue and would look into the matter. He commented that this remained a concern and while his initial reaction would be to state the County was not able to offer such funding, he would need to research the matter to provide a definitive answer; Mr. Auffredou advised he would try to have this information available for presentation at the next Invasive Species Sub Committee meeting.

Chairman Geraghty continued the Agenda review, calling for the Reading of Communications, which Mrs. Sady read aloud, as follows:

**Minutes from:**

1. Warren/Washington Counties Industrial Development Agency, Executive/Park and Civic Development Corporation;
2. Warren/Washington Counties Community Services Board

**Monthly Report from:**

1. Weights & Measures

**Annual Report from:**

1. Warren County SPCA

Capital District Regional Off-Track Betting Corp., December 2013 surcharge in the amount of \$4,286;

NYS Office of Parks, Recreation & Historic Preservation, advising of nomination of Woodward Hall in Lake Luzerne to the National and State Registers of Historic Places.

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Moving on to the Reading of Resolutions, Mrs. Sady advised proposed Resolution Nos. 50-109 were mailed; she noted that proposed Resolution Nos. 95 and 106 were corrected after mailing and a motion was necessary to approve both, as amended. Motion was made by Mr. Vanselow, seconded by Mr. Thomas and carried unanimously to approve the amendments to proposed Resolution Nos. 95 and 106.

Ms. Sady announced the resolutions relating to the filling of vacant positions were proposed Resolution Nos. 84-89 and she noted that unless a roll call vote was requested, they would be approved in the collective vote. She advised a motion was needed to bring proposed Resolution Nos. 49 and 110-114 to the floor, and the necessary motion was made by Mr. Sokol, seconded by Ms. Wood and carried unanimously.

Chairman Geraghty asked if there were any requests for additional roll call votes and Mr. Westcott requested that a roll call vote be taken for proposed Resolution No. 113, *Authorizing an Incentive Compensation Program with Regard to Per Diem RN's, LPN's and CNA's at Westmount Health Facility and Ratifying the Actions of the Administrator of Westmount Health Facility*. Mr. Westcott stated his concern that this resolution would set a precedent they might not want for the future and he said in light of comments he had heard indicating they might be forced to hire expensive outside resources, he did not feel confident in voting on this matter.

There being no further discussion on resolutions or roll call votes, Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 49-114 were approved, as presented; a Certificate of Appointment, appointing members of the Warren County Youth Board was submitted.

Chairman Geraghty advised the next agenda item called for an executive session to discuss the New York State Commission of Corrections Position and Staffing Analysis; he advised that because this executive session would be quite lengthy, he would entertain any announcements or comments from the Board Members or public before proceeding into the closed session.

Bud York, Warren County Sheriff, apprised of a recent situation where four Communications Officers had successfully intercepted a potential suicide attempt which could have affected many other neighboring homes. He explained that the Communications Officer who had taken the call had kept the suicidal person on the line while the three other Communications Officer's on hand had tracked the call to find out where the person was located and then dispatch City of Glens Falls Police Officers to that location. Upon arriving, Sheriff York stated, the Glens Falls Police Officers had found the person had intended to commit suicide by allowing gas to flow freely into the home, which could have had devastating effects on neighboring residents had the gas combusted. He advised the Fire Department had been called, the gas shut off, and the four Communications Officers had successfully saved the life of the suicidal person, and avoided possible injury to many other area residents. Sheriff York stated that these four Communications Officers had done a fantastic job and it was important to recognize these efforts.

There being no further announcements/comments from the Board Members or public, Chairman Geraghty called for a motion to enter into executive session. Mr. Auffredou announced that the executive session would be for the purpose of reviewing and discussing the Position and Staffing Analysis for the Warren County Correctional Facility as prepared by the New York State Commission on Corrections. He added this was a matter for executive session under Section 105(1)(a) of the Public Officer's Law as they would be discussing matters that would imperil public safety, if disclosed; he added that as per a Court ruling, the information included in these documents was considered to be confidential.

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Motion was made by Mr. Simpson, seconded by Ms. Wood and carried unanimously to enter into executive session pursuant to Section 105(1)(a) of the Public Officer's Law.

The following people were invited to remain and participate in the executive session:

Robert Cuttita, New York State Commission on Corrections

Steven Savoy, New York State Commission on Corrections

Bud York, Warren County Sheriff

Shawn Lamouree, Warren County Undersheriff

Mike Gates, Warren County Corrections Captain

Gretchen Steffan, County Human Resources Director

Rob Lynch, Deputy County Treasurer/Fiscal Assistant to the County Administrator

Executive session was held from 10:35 a.m. until 11:45 a.m.

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

There being no further business to come before the Board of Supervisors, on motion made by Mr. Conover and seconded by Mr. Brock, Chairman Geraghty adjourned the meeting at 11:46 a.m.