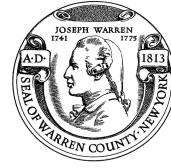


# Warren County Board of Supervisors

**BOARD MEETING  
FRIDAY, JULY 18, 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 Seeber.

Roll called, the following members present:

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

Motion was made by Supervisor Sokol and seconded by Supervisor Merlino to approve the minutes of the June 20, 2014 Board Meeting, subject to correction by the Clerk of the Board.

Commencing the agenda review, Chairman Geraghty introduced NYMIR (*New York Municipal Insurance Reciprocal*) representative Brian Custer; Mark LaVigne of NYSAC (*New York State Association of Counties*); and Lee Pollock, of Rose & Kiernan Insurance Agency, who were in attendance to present a check to the Board of Supervisors. Mr. Custer stated that he was back again, for the sixth consecutive year, to present a refund to Warren County on their investment to the NYMIR program. He explained that in 2008 NYMIR had decided to begin returning the initial capital investments made by members of the NYMIR program; he noted that Warren County was one of the longest standing members of the NYMIR program, having joined in 1994. Mr. Custer said that over the first four years of the investment return initiative, NYMIR had returned \$9 million to its membership and the program had been a raging success. He continued NYMIR had felt the best way to continue this success, was to return the interest on the capital investments, which they had done over the last two years. Mr. Custer stated that the check being presented, in the amount of \$35,000, represented the last installment of the interest return to Warren County. He apprised NYMIR had a successful history, having grown from a 25-member program with \$9 million in premiums in 1993 to their current state of over 820 members. Mr. Custer commented that NYMIR had grown by 66 members so far in 2014 and he said they hoped to reach 900 members by the end of the year. He stated that NYMIR was very proud of their record and he noted that their ability to reach this level of success was attributed to members like Warren County who remained loyal to the program; he added that NYMIR was invested in intermunicipal cooperation and he encouraged anyone with questions or concerns to relay them to NYMIR representatives. Finally, Mr. Custer advised that NYMIR had submitted requests to the New York State Legislature and the New York State Insurance Department for new legislation that would provide the necessary tools to continue to return any excess surplus collected to program members.

Mr. Custer formally presented the refund check to Chairman Geraghty and a round of applause was given. Chairman Geraghty stated Warren County was very fortunate to be a part of this partnership and he said the arrangement had worked out very well.

Chairman Geraghty advised the next Agenda Item called for recognition of graduates of the Warren County Safety Program.

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Paul Dusek, County Administrator, apprised the Safety Program had been started a number of years ago by Amy Clute, Self-Insurance Administrator, with assistance from Needham Risk Management, who had become invaluable to the program. He explained the idea for the Safety Program had come from the Workers' Compensation plan as an obligation of all of the employers that participated in the Self-Administration program, including the towns, Crandall Library, and the City of Glens Falls. Mr. Dusek stated the idea was that while the Self-Insurance program was intended to cover disabilities and injuries that occurred in the work place, Mrs. Clute had identified the larger mission of the employers as being the obligation to provide safe working conditions for employees and she was striving to convey this message to the participants of the Self-Insurance program through the Safety Program. He continued that when safe working conditions were provided, the potential for injuries and problems in the workplace were decreased, resulting in a financial gain due to lower medical costs, less lost work days, a decrease in the need for new employee training to cover absences, fewer extended medical leaves, etc. He added that while incurring a financial savings, the safety program also led to an enhanced flow of operations and increased employee productivity. Mr. Dusek said this program was beneficial for all participants of the Workers Compensation program, but advised it was the employees who participated in the Safety Program that deserved most of the credit and thanks for its success, because if they did not value and implement the safety lessons provided, the program would be worthless. He concluded that safety began at the employee level, where potential multiplied as interest grew, and the employer benefitted from the process.

Chairman Geraghty said he agreed with Mr. Dusek's comments and noted that as someone who had been previously employed by a manufacturing facility, he could assert that every accident was preventable. He added that employees served as the biggest advocates for safety measures and he noted that the safety practices learned at work were traditionally used on the job and at home, as well. Chairman Geraghty congratulated everyone who had completed the Safety Program and he commended Mrs. Clute and Needham Risk Management for doing an excellent job of providing safety training.

Mrs. Clute explained that in order to complete the Safety Certificate Program, participants must complete three core credits and three elective credits, for a total of six credits. She added today they would recognize several employees who completed the program during the last year, many of whom had accrued more than the required six credits. Mrs. Clute advised they would be updating the listing of safety programs offered for the upcoming fall session and she encouraged everyone to participate. Mrs. Clute and Mike Needham, of Needham Risk Management, then proceeded to recognize those employees who had completed the Safety Certificate Program, presenting each with a certificate and a special hard hat with lettering indicating their accomplishments. Mrs. Clute pointed out that the lettering on the hard hats had been applied by the DPW Sign Shop staff and she stated her appreciation for their efforts.

The following people were recognized for completion of the Safety Certificate Program:

- ★ Jessica Barton, Warren County DPW
- ★ Paul Belden, Jr., Town of Hague
- ★ Derrick Blackmer, Warren County DPW
- ★ Amy Clute, Warren County Self-Insurance Administrator
- ★ Larry Crandall, Town of Warrensburg
- ★ Dexter Duell, Town of Warrensburg
- ★ Laura Lane, Warren County DPW
- ★ Frank Leemans, Warren County DPW
- ★ Frank Morehouse, Warren County Superintendent of Buildings
- ★ Peter Olesheski, Warren County DPW
- ★ Catherine Persons, Town of Bolton
- ★ Shawn Raymond, Warren County DPW

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- ★ Nancy Ross, Warren County DPW
- ★ George VanDusen, Warren County DPW
- ★ Joan Wolfe, Warren County DPW

A round of applause was given following each presentation. Special recognition was given by Mr. Dusek to both Mrs. Clute and Mr. Morehouse for the leadership reflected in their participation as County department heads.

Resuming the Agenda review, Chairman Geraghty declared the Public Hearing open on the proposed Tentative Budget for SUNY Adirondack (*formerly known as Adirondack Community College*) for fiscal year 2014-15 at 10:17 a.m. and he requested the Clerk of the Board to read the Notice of Public Hearing aloud. Following the reading of the Notice of Public Hearing by Joan Sady, Clerk of the Board, Chairman Geraghty offered privilege of the floor to any member of the public wishing to speak on the proposed Tentative Budget for SUNY Adirondack. Their being no one wishing to speak on the matter, Chairman Geraghty announced that the Public Hearing would be left open. He then declared the Public Hearing open on proposed Local Law No. 3 of 2014, entitled "A Local Law Amending and Consolidating Local Law No. 4 of 2013 - Rules and Regulations for the Administration of the Warren County Self-Insurance Plan" at 10:19 a.m. and he asked Mrs. Sady to read aloud the Notice of Public Hearing, which she proceeded to do. Chairman Geraghty called for public comment on proposed Local Law No. 3 of 2014.

Travis Whitehead, Town of Queensbury resident, commented on the Notice of Public Hearing, advising that he had seen the Notice posted on the Warren County website in a section that was clearly and easily accessible to all residents of the County. He applauded these efforts and questioned whether this procedure would apply for all public notices in the name of Warren County. Mrs. Sady responded that the section of the website Mr. Whitehead referred to had been prepared for the posting of Notices of Public Hearings to be held at Board Meetings and her Office would only be posting the Notices ordered by the Board of Supervisors. Mr. Whitehead referenced the recent Airport public hearings, advising he understood that it was not appropriate for Mrs. Sady to publish the accompanying notices, nor to take minutes for them, but he asked if the procedures could be amended to include the posting of such notices on the Warren County website to make them easily viewable by the public. Mr. Dusek apprised the County website was currently being revised with the prime objective being to increase transparency and provide adequate notice to the public. He said he appreciated that Mr. Whitehead had noticed the changes being made and he confirmed the types of notices Mr. Whitehead described would eventually be advertised on the County website. Mr. Dusek concluded that the County's website was still undergoing major revisions and he asked for patience while this work was being done.

There being no other comments for either Public Hearing, Chairman Geraghty declared both closed at 10:23 a.m.

Moving on, Chairman Geraghty announced the next Agenda Item called for the report by the Chairman of the Board; he proceeded to read aloud a listing of the meetings he had attended since the last Board Meeting, a copy of which is on file with items distributed at the Board Meeting

Chairman Geraghty then called for reports by Committee Chairmen on the past months meetings or activities and the following were given: Supervisor Seeber, New York Association of Chiefs of Police Annual Conference; Supervisor Sokol, Health Services; Supervisor Westcott, Social Services; Supervisor Thomas, Budget; Supervisor Conover, Finance; Supervisor Monroe, Park Operations & Maintenance and Real Property Tax Services; Supervisor Girard, County Facilities and Extension Services; Supervisor McDevitt, Community College and Mental Health; Supervisor Taylor, Personnel and Support Services; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Frasier, Human Services; Supervisor Dickinson, Criminal Justice, Invasive Species and Intercounty Legislative Committee of the Adirondacks;

Supervisor Merlino, Tourism.

Ms. Seeber explained that she'd had the opportunity to attend the New York State Association of Chiefs of Police(NYSACP) Annual Training Conference held in Lake Placid, NY earlier that week; she noted she had found the event to be particularly interesting given her membership on the Criminal Justice and Public Safety Committees. Ms. Seeber apprised the event had featured many amazing speakers, but had also provided the opportunity for different local police departments to speak about their struggles and the support they sought from their commensurate legislative bodies. She stated she was very pleased to announce NYSACP was strongly considering selecting Warren County to host their next annual meeting, which, she said, would bring a lot of visitors to the area. In conclusion, Ms. Seeber said she was very appreciative of the hard work of all the Chiefs of Police and their departments.

With reference to proposed Resolution No. 369 of 2014, *Authorizing the Warren County Health Services Department to Provide Uniform Assessment Systems of New York Evaluation Services for Patients within a Limited Geographic Area who Reside Outside Warren County*, Mr. Sokol apprised that at the Health Services Committee Meeting held on June 27<sup>th</sup>, Pat Auer, Director of Public Health/Patient Services, had advised the Warren County Public Health Department was one of the few agencies with staff members trained to provide uniform assessment system services. He explained these were evaluation services for patients receiving managed Medicaid benefits and he said the Public Health Department had been receiving quite a few calls for them. Mr. Sokol stated that with the Board's approval of proposed Resolution No. 369, they would like to assist those patients unable to access Medicaid services until the assessments were completed and would receive reimbursements in the amount of \$156 per visit. He advised the Health Services Committee had also approved proposed Resolution No. 367, *Authorizing Agreement with Mac the Knife Designer Autocrafts, LLC to Prepare Vinyl Decals, Remove Joseph Warren Seals on Health Services Vehicles and Apply Decals on Said Vehicles with the Health Services Homecare Logo*. With respect to Westmount Health Facility, Mr. Sokol reported they continued to move in a positive direction with staffing, creating and deleting positions to maintain operations. He said they were doing an excellent job of making due with the staffing available, regardless of vacancies, and so far had been able to avoid using any contract nursing work. Mr. Sokol said a report had been provided by Betsy Henkel, Comptroller for Westmount Health Facility, indicating that for 2007-2008 the IGT (Intergovernmental Transfer) appeals were received in the amount of \$113,000 and she was pushing for 2009-2013 appeals which they anticipated would be about \$795,000.

Mr. Beaty apprised that he and Supervisor Westcott had traveled to Raybrook, NY during the past week to meet with NYSDEC (*New York State Department of Environmental Conservation*) officials and discuss regulations pertaining to the necessary NYSDEC permit for the proposed runway extension project at the Warren County Airport. He said his impression of the meeting, which was not necessarily reflective of either Supervisor Westcott's or NYSDEC's opinions, was that there were three points of concern as to whether the permit would be granted, those being: 1) whether a compelling economic impact could be proven; 2) if the mitigation needs could be met for the Class 1 wetlands area that would be affected; and 3) whether the provision that all other options had been explored and discounted. Mr. Beaty noted that NYSDEC could not provide any definitive answers as to whether the permit would be approved because the County had not yet applied for it; however, he said, the three aforementioned points had been listed and were reiterated in NYSDEC regulatory verbiage. Based on this information, he stated that he was not convinced the permit would be approved to allow the runway extension project to proceed, but noted, once again, this opinion was strictly based on his interpretation of the meeting as no formal indication had been given by NYSDEC on the matter.

Mr. Westcott stated the Social Services Committee had met on June 27<sup>th</sup> and he thanked Supervisor Sokol for serving as Chairman in his absence which was due to a scheduling conflict. He pointed out that during this meeting the Committee had approved proposed Resolution No. 343, *Resolution*

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*Authorizing Settlement of New York State Department of Health Administrative Enforcement Proceeding, which related to Countryside Adult Home.*

Mr. Thomas apprised the 2015 Budget development process was about to begin in earnest and he noted that the first Budget Committee Meeting was scheduled to be held on August 6<sup>th</sup>, following the Personnel and Finance Committee Meetings. He said that in this first meeting, the Budget Committee would review the multi-year plan and try to set funding priorities. With regards to the Self-Insurance Program, Mr. Thomas stated it was important to realize and appreciate the savings derived from the Program as the cost for the purchase of similar coverages from the private sector would be extraordinarily higher.

Ms. Wood stated that she had nothing to report, but said she was pleased to have returned from her vacation and was glad to be back.

Mr. Conover advised the Finance Committee had met on July 9<sup>th</sup>, approving proposed Resolution Nos. 324, 325, 358-363 and 372, all of which were included in the resolution packet.

Prior to Mr. Monroe's report, Chairman Geraghty apprised that Mr. Monroe's wife, Carol Monroe, who also served as the Secretary for the Adirondack Park Local Government Review Board, had suffered a heart attack on Sunday, but was now home and feeling well, which Chairman Geraghty said he was very happy to hear.

Mr. Monroe thanked Chairman Geraghty for his kind words before proceeding with his report. He advised the Park Operations and Management Committee had met on July 1<sup>st</sup>, where Jeffery Tennyson, Superintendent of Public Works had provided an update on the Wood Park construction schedule. Mr. Monroe advised the construction work had been delayed due to a standing water issue, leading Mr. Tennyson to sign a contract amendment to extend the expected completion date from July 8, 2014 to July 21, 2014. He further advised there had been some discussion as to whether liquidated damages could be pursued due to the delayed completion of the construction, but it was determined this would be unlikely because a contract extension had been signed. Mr. Monroe said discussion had also been held relative to the bids for construction of the environmental portion of the Wood Park, as well as about when certain other Park elements would be completed, and Mr. Tennyson had indicated the construction would commence in the spring of 2015 with elements such as the skate park and the playground expected to be completed within 2015. He said there had been extensive discussion about tobacco use in the Wood Park, leading the Committee to approve proposed Resolution No. 326, *Supporting the Amendment to the Village of Lake George's Proposed Local Law No. 3 of 2014 to Prohibit Smoking in the Charles R. Wood Park.*

With regards to the July 1<sup>st</sup> Real Property Tax Services Committee meeting, Mr. Monroe provided a brief outline of proposed Resolution Nos. 335-340 all of which were approved at that meeting and were included in the resolution packet. He also pointed out proposed Resolution No. 374, *Resolution Urging Time Warner Cable, and Potential New Cable Operator Comcast, to Include Mountain Lake PBS as Part of Future Coverage for Warren and Washington Counties as was Established by the University of the State of New York Provisional Charter for Mountain Lake PBS*, urging the Board to approve the resolution. Mr. Girard reported that the County Facilities Committee had met on July 3<sup>rd</sup>, approving proposed Resolution Nos. 347-356, which he outlined briefly. With regards to Extension Services, he said he believed Mr. Tennyson was in attendance to address the Board relative to the expediency of facilitating solar options for the Cornell Cooperative Extension (CCE) and Countryside Adult Home buildings prior to the upcoming winter to achieve a savings in utility costs.

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Mr. Tennyson apprised he had recently conversed with engineering staff from Clark Patterson Lee (CPL) about the broader view of environmental technologies that would assist in various energy projects for the County and the feedback he had received indicated that a solar photovoltaic (PV) system was a viable option for virtually any site. He said that they had also talked about having CPL do a feasibility study for the CCE/Countryside campus, which included the Town of Warrensburg well sites, but had subsequently agreed the best course of action would be to release an RFP (*request for proposals*) seeking quotations for either solar farm or power purchase agreement scenarios specific to the CCE/Countryside site. Mr. Tennyson said that by proceeding in this manner, they would receive a variety of proposals for the two solar options that seemed to be the most viable, allowing them to compare the proposals moving forward. He stated that he felt it was imperative to keep CPL involved throughout the process to assist with proposal comparisons as they would include a number of assumptions and calculations regarding projected savings, future energy costs, etc. Mr. Tennyson advised he would like to commence the RFP process as quickly as possible and said he did not feel there was any risk in doing so, using CPL on an as needed basis working in cooperation with the DPW Engineering staff. He concluded that this would be the best manner in which to obtain real costs and projected savings, rather than relying on assumptions. Mr. Girard thanked Mr. Tennyson for his comments and he noted that National Grid had performed an energy audit for the CCE Building for installation of insulation and such, which could be addressed through the budget process.

Mr. McDevitt drew attention to Resolution No. 372, *Adopting and Approving Adirondack Community College Budget*, opining that the College had shown financial discipline in their budget proposal which was within the 2% spending cap requirements. He stated that the College provided significant advantages to many people and he noted that when attending their 2014 graduation ceremony, he had been impressed by the number of advanced degrees awarded. Mr. McDevitt noted that at the beginning of the meeting he had distributed a flyer to each member of the Board of Supervisors announcing the first Warren and Washington County Hometown vs. Heroin & Addiction Community Forum meeting that would be held on July 23, 2014 at 6:00 p.m. in the Hudson Falls High School Auditorium. He advised the Forum would feature a panel of individuals to provide information and answer questions, as well as representatives from the judicial system, the healthcare industry, the substance abuse treatment field, concerned parents, people in recovery and representatives from local agencies to provide resources. Mr. McDevitt encouraged his fellow Supervisors to post the flyers in their towns to encourage attendance and he noted that Mrs. Sady had agreed to forward the flyer to all County employees via email. He noted that *The Post Star* would be involved in the Forum, as well, and had recently begun speaking out on the area's addiction issues through a compelling series of positive articles that put a human face on a significant issue for both Warren and Washington Counties. Finally, Mr. McDevitt advised he had attended a series meetings pertaining to the budget for operation of the Office of Community Services.

Mr. Taylor reported that the Personnel Committee had met on July 9<sup>th</sup>, approving proposed Resolution Nos. 364, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2014*, to delete two part-time CNA (*Certified Nursing Assistant*) positions and create one full-time CNA position, and 365, *Amending Resolution No. 356 of 2013; Adopting the Americans with Disabilities Act ("ADA") Section 504 Compliance Policy*, to replace all occurrences of "Personnel Officer" with "County Human Resources Director". He then drew the Board's attention to proposed Resolution No. 357, *Authorizing Agreement with New York State Bureau of Weights & Measures for Participation in Petroleum Product Quality Program*, which was sponsored by the Support Services Committee. He explained this agreement would provide reimbursements to Warren County in the amount of \$5,244 per year, to be paid quarterly, for expenses incurred by participating in the Petroleum Product Quality Program for the term commencing April 1, 2014 and terminating March 31, 2019.

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Mr. Brock advised he had nothing to report, but requested that roll call votes be taken for proposed Resolution Nos. 354, *Authorizing the Chairman of the Board of Supervisors to Execute an Amended Short Environmental Assessment Form and Issuing a Determination of No Significant Environmental Impact for the Land/Easement Acquisition over Property Owned by Forest Enterprises Management, Inc.*; 355, *Setting Public Hearing and Commencing SEQRA Review with Respect to Proposed Airport Real Property Lease Agreement with Schermerhorn Aviation, LLC for a Stand Alone Restaurant at the Floyd D. Bennett Memorial Airport*; and 356, *Setting Public Hearing and Commencing SEQRA Review with Respect to Proposed Airport Real Property Lease Agreement with Schermerhorn Aviation, LLC for a Stand Alone Office Building at the Floyd D. Bennett Memorial Airport*. He advised he was requesting roll call votes for these resolutions because he planned to abstain from voting due to his wife's employment with Richard Schermerhorn, of Schermerhorn Aviation, LLC/Schermerhorn Real Estate Holdings.

Mr. Kenny apprised the last meeting of the Occupancy Tax Coordination Committee was held on July 2<sup>nd</sup>. He said that the meeting had begun with a report on occupancy tax revenue collections by Mike Swan, County Treasurer, which indicated there had been a 4.92% increase in collections for the term of January 1, 2014 - June 25, 2014 in comparison to the same period in 2013. Mr. Kenny said the Committee had also discussed revisions to the Municipal Accounting Form for occupancy tax special event funding as presented by Mr. Dusek. He added that Mr. Dusek had done a very good job of updating the form and the Committee had voted in favor of incorporating it, as represented by proposed Resolution No. 341, *Approving the Revised Local Tourism and Convention Development Agreement Municipal Accounting Form*. Mr. Kenny advised the Committee had also held a lengthy discussion regarding the proposal presented by Robert Blais, Mayor of the Village of Lake George, suggesting consolidation of the County and town/city/village special event funding processes, following which the Committee had decided to refrain from taking any action on the proposal and to discuss it further at a future meeting.

Mrs. Frasier said the Human Services Committee had met on June 30<sup>th</sup> and she thanked Mr. Vanselow for serving as Chairman in her absence. She noted that during this meeting the Committee had approved budget amendments for the Office for the Aging relative to the BIP (*Balancing Incentive Program*), and had also approved proposed Resolution Nos. 344, *Authorizing Agreement with the Lake Pleasant Senior Citizens Group, Inc. for the Operation of a Mealsite for the Office for the Aging*, and 345, *Authorizing the Submission of Grant Application to New York State Office for the Aging for Balancing Incentive Program (BIP) Funding*.

Mr. Dickinson advised the Criminal Justice Committee had met on June 30<sup>th</sup>, during which they had approved the filling of a vacant Probation Officer position, due to retirement; he added that Chairman Geraghty had indicated the retiring employee was "a great asset to the Probation Department and would be greatly missed and very hard to replace". Additionally, Mr. Dickinson pointed out proposed Resolution No. 342, *Ratifying the Actions of the Chairman of the Board of Supervisors in Approving and Executing the Supervision and Treatment Services for Juveniles Program for New York State Fiscal Year 2014-2015 Annual Plan*, which was also approved by the Criminal Justice Committee. He noted that an update had been provided by Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services, relative to the installation of radios in the vehicles of Probation Officers who were traveling to remote areas with little or no cellular phone services to perform home visits.

Mr. Dickinson commented that although the Invasive Species Sub-Committee had not met since the last Board Meeting, a number of other invasive species-related meetings had been held throughout the Adirondack Park region, expanding upon the two-year interim program for mandatory boat inspections. He said it appeared that Governor Cuomo's Office was becoming more involved with the initiative, which he hoped was a good sign. Mr. Dickinson provided an update on the Asian Clam eradication

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efforts in Lake George, advising of recent information received from Dave Wick, Executive Director of the Lake George Park Commission. He said Mr. Wick had apprised that in trying to meet an Asian Clam sampling request submitted by the Darrin Fresh Water Institute, he had found it difficult to harvest the number of clams requested; Mr. Dickinson added it was Mr. Wick's assumption that the clams had been unable to survive the harsh weather of the prior winter season and a considerable amount of the population had been killed. He advised that they intended to study this occurrence to try and figure out exactly what had caused the phenomenon.

Finally, Mr. Dickinson commented on the June 26<sup>th</sup> meeting of the Intercounty Legislative Committee of the Adirondacks which was hosted by Hamilton County at the Adirondack Museum in Blue Mountain Lake, NY. He advised this had been a very interesting meeting which included a powerpoint presentation made by the Executive Director of the Adirondack Museum regarding the aggressive program being implemented to update many of the displays at the Museum, some of which dated back to the 1950's. Mr. Dickinson noted that the Museum also planned to incorporate a historic trail and boathouse feature at Minnow Pond; he further noted that they hoped to install campsites along the trail and to provide traditional Adirondack-style watercraft at the boathouse that could be used on Minnow Pond. Additionally, Mr. Dickinson advised the Museum was trying to attract a major hotel chain to build a lodging facility across the street from the Adirondack Museum, which would be a great benefit to the Museum and the surrounding area. Concluding his report, Mr. Dickinson stated that at the close of the meeting the Executive Director of the Adirondack Museum had approached him to speak about the Jefferson Project at Lake George, which was the project launched by the Rensselaer Polytechnic Institute, IBM and the Fund for Lake George to monitor Lake George, and express the Museum's interest in setting up a display about the Jefferson Project. He advised he had provided his contact information and hoped that the display would eventually be incorporated in the Adirondack Museum's offerings.

Chairman Geraghty advised Mr. Merlino's report would be the last provided because he had requested the opportunity to make a presentation regarding sales tax distribution.

Mr. Strough reported that Jim Fitzgerald, Town of Queensbury Animal Control Officer, had made a presentation on understanding dogs and how they should be approached, as well as how to perform CPR on them, if the situation warranted it. He said many young people had attended the presentation, and although he had at first found their cell phone use to be a bit rude, he had later discovered they were recording the presentation, which he felt was actually complimentary.

Continuing his report, Mr. Strough announced the Warren County Safe & Quality Bicycling Organization (WCSQBO) was sponsoring two upcoming biking tours, the first of which would be held on Saturday, July 19<sup>th</sup>. He explained this tour would include stops at Blind Rock, Ephraim Williams Monument and the Lake George Battlefield and would feature historical commentary; Mr. Strough invited anyone interested in participating in the tour to meet him at 10:00 a.m. at Cooper's Cave Park in South Glens Falls. He noted that the second tour, which would be held on August 10<sup>th</sup> at 10:00 a.m., would begin at the Feeder Dam and feature the heritage of industrial development along the Feeder Canal; he extended invitation to anyone interested in this tour, as well.

As a point of clarification, Mr. Strough noted that the heading of proposed Resolution No. 329, *Authorizing Renewal of Agreements with the City of Glens Falls and South Warren Snowmobile Club, Inc. Providing for the Licensing of Use of Trails in the City of Glens Falls and Trail Development and Maintenance*, should be amended to indicate that the agreement would apply for use of trails on property "owned by" the City of Glens Falls, rather than "in the" City of Glens Falls. Mr. Strough advised this correction should be made for the sake of accuracy as there were trails on property owned by the City of Glens Falls, but located in the Town of Queensbury. Mrs. Sady advised this change would



be made via Clerk's Correction following the meeting.

Mr. Strough thanked Mr. Tennyson and the DPW staff for the excellent work done on the Hicks Road Reconstruction Project in the Town of Queensbury. He said he was very impressed with the storm water controls installed and noted that he had received a number of compliments from residents. Mr. Strough commented on the growing support for modernization at the Warren County Airport and he acknowledged that although the project faced challenges due to the presence of wetland areas, he was confident that they would be able to work with NYSDEC to determine a satisfactory solution. He stated that he supported efforts to modernize the Airport and believed they should pursue the project to fruition.

Finally, Mr. Strough commented on SUNY Adirondack attendance figures, noting that the average tuition per student at SUNY Adirondack was \$9,000 per year, while other equivalent colleges charged higher tuition fees and faced declining attendance. He stated that the current SUNY Adirondack tuition rates were fiscally responsible and incorporated a proactive approach that led to increased attendance rates. He added that the presence of the culinary institute, expansion of the Wilton Campus and construction of the STEM Building and on-site student housing were other factors that contributed to SUNY Adirondack's success in achieving higher attendance rates and he said he concurred with Mr. McDevitt's statements in requesting support of proposed Resolution No. 372, *Adopting and Approving Adirondack Community College Budget*.

Privilege of the floor was extended to Mr. Merlino, who began by reporting that although the Tourism Committee had not met since the last Board Meeting, they had been busy distributing brochures and attending to other tourism-related matters. He apprised that he had recently taken a tour of the Adirondack Craft Beverage Trail with Kate Johnson, Director of the Tourism Department. He advised the tour had been very impressive and he noted that he had distributed copies of the "Trail and Map" developed by the ARCC (*Adirondack Regional Chamber of Commerce*) to each Board Member. *A copy of the map is on file with the items distributed at the Board Meeting.* With regards to the Public Works Committee, Mr. Merlino apprised that at their July 2<sup>nd</sup> meeting, the Committee had approved proposed Resolution Nos. 327-334, copies of which were included in the resolution packet.

Continuing to his presentation, Mr. Merlino distributed a packet of information outlining current distributions to the towns/village/city, and his proposal for a more equitable distribution of sales tax revenues; *a copy of the packet is on file with the items distributed at the Board Meeting.* He then proceeded with a brief outline of the information presented, indicating this was a proposal he had developed to help smaller towns receiving lower distributions by updating the formula used to determine how much each municipality received. Mr. Merlino stated that while the information was being presented for consideration, he intended to present it formally at an upcoming Finance Committee meeting where the appropriate resolution would be requested; he added that he preferred to delay any questions on the proposal until that time.

Resuming the Agenda review, Chairman Geraghty called for the report by the County Administrator. Mr. Dusek advised that the first tabletop exercise had been held with key staff regarding how to deal with emergency situations at the Municipal Center Campus. He advised the meeting had been run by Mrs. Clute and Needham Risk Management but had included several participants, including individuals from the Court System. Mr. Dusek said that during this meeting they had been able to identify and immediately correct several procedural deficiencies. He noted that they intended to continue these meetings, in concert with various emergency drills for all County staff, to ensure the managerial staff was prepared to respond appropriately in the event of an actual emergency for the safety of both the County's employees and any visitors.

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Mr. Dusek apprised that in continuation of an operations cleanup initiative he had started at the beginning of the year, the Payroll Rules Committee, comprised of various key staff members, had been meeting to study the relationship between the Treasurer's and Human Resources Departments and the rules pertaining to accruals of leave time and determination of salary rates in order to ensure that all staff are being treated the same. He advised that this Committee had been developed in order to address discrepancies they had discovered which caused inter-reaction problems amongst staff. Mr. Dusek noted that the Board might not be aware of these issues because they did not typically surface at Board or Committee Meetings, and he was happy that they were being addressed.

Finally, Mr. Dusek advised he had received the rules on Governor Cuomo's initiative, which was backed by the State Legislature, in terms of a tax cap in place for 2015 in order for residents to receive the benefit of any revenues coming from the State as a result of having to pay increased taxes, as well as the future 1% , and climbing for each consecutive year, savings that the counties are supposed to generate based on the amounts raised under tax revenues. He said he had read the rules and would speak on them more in the future. Mr. Dusek commented that they were reviewing many County initiatives to determine if there was an opportunity for shared services with the towns and the City of Glens Falls to help achieve the savings and goals on a unified front and ensure Warren County taxpayers received the benefits of rebates from New York State, provided that the savings set forth by the State were achieved. He said this shared services initiative was much more complicated than it sounded as the County had already cut back in many areas and had implemented shared services measures in response to the recession experienced in past years. Mr. Dusek apprised one area where they had recently tried to implement a shared services effort was for the purchase of a tub grinder unit to dispose of logs and stumps in light of NYSDEC regulations that placed a ban on the open burning of these items. Mr. Dusek said they had searched for grant funding to purchase this piece of equipment to be used by all of the municipalities, but had been unable to find any. In closing, Mr. Dusek advised his office would be forwarding questionnaires to the towns/city/village in an effort to determine other areas where shared services measures could be implemented; he added that they would try to keep the questionnaire short and appreciated cooperation in completing and returning them.

Moving on to the report by the County Attorney, privilege of the floor was extended to Martin Auffredou, County Attorney, who spoke about proposed Resolution Nos. 355, *Setting Public Hearing and Commencing SEQRA Review with Respect to Proposed Airport Real Property Lease Agreement with Schermerhorn Aviation, LLC for a Stand Alone Restaurant at the Floyd D. Bennett Memorial Airport*, and 356, *Setting Public Hearing and Commencing SEQRA Review with Respect to Proposed Airport Real Property Lease Agreement with Schermerhorn Aviation, LLC for a Stand Alone Office Building at the Floyd D. Bennett Memorial Airport*. He said that during the July 3<sup>rd</sup> County Facilities Committee meeting they had reviewed the terms of each lease and he represented that he would be preparing the formal lease agreements, which he had done in a draft form. Mr. Auffredou advised that the draft lease agreements had been forwarded to the Rose & Kiernan Insurance Agency and were currently undergoing review to ensure that the correct insurances were being requested of Schermerhorn Aviation, LLC. He noted that the draft lease agreements were available for review in his office, but said he anticipated being able to mail the finalized lease agreements to each member of the Board of Supervisors in advance of the public hearing to be held on August 15<sup>th</sup>, once the insurance review was complete. Mr. Auffredou expressed his appreciation to Supervisor McDevitt in lending real estate expertise and insight in assisting with the lease agreements. Continuing, he advised that both the lease agreements and the construction they authorized were subject to SEQRA (*State Environmental Quality Review Act*) review, and he apprised that with the assistance of Ross Dubarry, Airport Manager, he had prepared a Part 1 Short Environmental Assessment Form for each. Mr. Auffredou stated he had brought copies of the Assessment Forms with him to the meeting and he said the Board Members could either pick up a copy of the forms at the close of the meeting, or he could mail them, for perusal before the

completion of the SEQRA review which would take place on August 15<sup>th</sup> following the necessary public hearings.

Mr. Dickinson commented on proposed Resolution Nos. 355 and 356, stating that it was encouraging to see activity at the Airport and he said he hoped this would promote the facility and draw others to it. As a side note relating to prior comments made about obtaining an NYSDEC permit for construction at the Airport, Mr. Dickinson indicated that replacing wetlands of all classes was a fairly common practice and was not that difficult, especially in an environment like the Airport where the land was primarily flat and the difference between wetland and dryland classifications was typically elevation-related, providing for easy excavation. The second key to this process, he added, was that they would need to replace the wetland area desired for use with in-kind species, and he said the APA (*Adirondack Park Agency*) would certainly provide a list of those that were acceptable. In conclusion, Mr. Dickinson opined it would not be difficult to facilitate the relocation of wetlands at the Airport in order to obtain the necessary NYSDEC permit.

With respect to proposed Resolution No. 374, *Resolution Urging Time Warner Cable, and Potential new Cable Operator Comcast, to Include Mountain Lake PBS as Part of Future Coverage for Warren and Washington Counties as was Established by the University of the State of New York Provisional Charter for Mountain Lake PBS*, Mr. Monroe pointed out that Jennifer Kowalczyk, Director of Communications for Mountain Lake PBS, was present, and might like to speak on the subject matter of the resolution. Privilege of the floor was extended to Ms. Kowalczyk who noted that the request was being made because Mountain Lake PBS carried programming relevant to the region which was not being aired in Warren and Washington Counties. As an example, she cited a documentary program that had aired two years ago called "Lake Defenders" which addressed invasive species in Lake George, and more recently, coverage of the 21<sup>st</sup> Congressional District Republican Primary debate between Elise Stefanik and Matt Doheny. Ms. Kowalczyk said they had heard from a number of citizens requesting access to Mountain Lake PBS programming and she noted this request was timely because the Public Service Commission was closing their comment period addressing the Time Warner Cable and Comcast merger that day.

Fred Austin, Warren County Resident and former Warren County Superintendent of Public Works, noted that in his previous occupation as Superintendent of Public Works he had received a letter stating that a fence being erected at the Warren County Airport could not be placed in the specified installation location because there was a natural fen in that area. He said he had responded that this was not a natural fen, but rather where topsoil had been removed and if it was desired to return the area to its original state, they would need to remove a great deal of topsoil from the Queensbury School and the Warren County Municipal Center campus, which was under construction at that time. Mr. Austin concluded that Mr. Dickinson was correct in his statement that it was easy to replace wetland areas, but it was also important to recognize that what might now be identified as a natural fen of great value, was actually resultant of a money saving measure to provide topsoil for the Queensbury School and the Warren County Municipal Center grounds.

Resuming the Agenda review, Chairman Geraghty called for the reading of communications, and Mrs. Sady read the following aloud:

**Minutes from:**

1. Warren/Washington Counties Industrial Development Agency, Civic Development Corporation and Executive/Park Committees;

**Monthly Report from:**

1. Probation;

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Capital District Off-Track Betting, May 2014 Surcharge in the amount of \$7,538.

Privilege of the floor was extended to Mr. Whitehead who commented on the July 1<sup>st</sup> public hearing held regarding eminent domain proceedings for Airport projects. He said they had not received any information about this meeting and not even the most basic questions regarding the need for the taking of private property were answered, which he felt showed the lack of transparency on this issue. Eluding to proposed Resolution No. 354, *Authorizing the Chairman of the Board of Supervisors to Execute an Amended Short Environmental Assessment Form and Issuing a Determination of No Significant Environmental Impact for the Land/Easement Acquisition over Property Owned by Forest Enterprises Management, Inc.*, Mr. Whitehead suggested that the Board of Supervisors take some time to study the issues surrounding this matter before voting on the proposed resolution.

Chairman Geraghty called for the reading of resolutions. Mrs. Sady announced proposed Resolution Nos. 325-371 were mailed, and a motion was needed to bring proposed Resolution Nos. 324 and 372-374 to the floor. The necessary motion was made by Mr. Dickinson, seconded by Mrs. Frasier and carried unanimously.

Speaking as Chairman of the Public Works Committee, Mr. Merlino made a motion to table proposed Resolution No. 334, *Appointing Superintendent of Public Works*. The motion was seconded by Mr. Conover and carried unanimously, thereby tabling proposed Resolution No. 334.

Mr. Westcott requested a roll call vote for proposed Resolution No. 374, *Resolution Urging Time Warner Cable, and Potential new Cable Operator Comcast, to Include Mountain Lake PBS as Part of Future Coverage for Warren and Washington Counties as was Established by the University of the State of New York Provisional Charter for Mountain Lake PBS*, explaining that he planned to abstain from the vote because he worked for Behan Communications who represented Mountain Lake PBS.

Referring to proposed Resolution No. 367, *Authorizing Mac the Knife Designer Autocrafts, LLC to Prepare Vinyl Decals, Remove Joseph Warren Seals on Health Services Vehicles and Apply Decals on Said Vehicles with the Health Services Homecare Logo*, Mr. Kenny noted they seemed to be wasting a lot of money on this work and he questioned why the Committee had not considered simply adding the Health Services Homecare logo to the vehicles, rather than removing the existing decals altogether since these were still Warren County vehicles. Mr. Sokol, speaking as Chairman of the Health Services Committee, responded that the cost of this work totaled \$4,800, representing the lowest responsible bid submitted. Chairman Geraghty advised this issue had been discussed by the Health Services Committee extensively and was intended to clearly identify the Health Services vehicles when traveling to home appointments. Mr. Dusek added that he had encouraged this initiative when it was first introduced because Warren County was now essentially running a competitive business in their home care operations. He continued that it was important for people to know and see the Health Services vehicles and that the Homecare logos were very clearly represented on the vehicles, which, unfortunately, meant the Joseph Warren decals needed to be removed. Mr. Dusek stated that while he recognized and appreciated concerns with the cost of this work, he felt it was very important to clearly advertise these vehicles to further their marketing efforts. Mr. Kenny then requested a roll call vote for proposed Resolution No. 367.

There being no further discussion, Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 324-374 were adopted, with the exception of Resolution No. 334, which was tabled.

Chairman Geraghty advised the next Agenda item pertained to announcements. He advised they would be welcoming the New York State Election Commissioners Association to Lake George on July 29<sup>th</sup> -

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August 1<sup>st</sup> for their annual convention; he advised the New York State 911 Coordinators Association had held a conference in May of 2014, as well. Chairman Geraghty advised that he had recently ridden through the Town of Bolton and noticed it was very busy with tourism activity and therefore he felt that the sales tax figures for the next quarter would reflect an increase.

Mr. Monroe noted the timely nature of approving Resolution No. 374, *Resolution Urging Time Warner Cable, and Potential new Cable Operator Comcast, to Include Mountain Lake PBS as Part of Future Coverage for Warren and Washington Counties as was Established by the University of the State of New York Provisional Charter for Mountain Lake PBS*, and he requested that it be either emailed or faxed to the appropriate parties as quickly as possible; Mrs. Sady confirmed that she would send the resolution immediately following adjournment of the Board Meeting.

Mr. Monroe recalled that during the June 20<sup>th</sup> Board Meeting they had approved Resolution No. 301, *Supporting Assembly Bill 9619/Senate Bill 7273, An act to Amend the Environmental Conservation Law in Relation to Aquatic Invasive Species Spread Prevention and Penalties*, and he said this had been very timely because the legislation had passed to institute a State-wide transport law prohibiting the launching of boats with visible invasive species on them.

With regards to a recent storm event which had been classified as the confirmed touchdown of a tornado in the Town of Johnsbury, Mr. Monroe noted this would have been a perfect instance for use of the hyper-reach system to warn residents of the impending tornado. Mr. Monroe then commented on a lawsuit against the Adirondack Club & Resort project in Tupper Lake, NY, which had been under review for many years with a lawsuit pending for the past two months, noting that the lawsuit had recently been dismissed by the courts which was good news for Tupper Lake because the project could now proceed. However, he added, a few days after the dismissal, the same group had started another lawsuit against the NYCO Mineral project where voters on a State-wide basis had voted to allow test drilling and mining for minerals on State-owned property. Finally, Mr. Monroe reported that Governor Cuomo's Adirondack Challenge would be held on July 20<sup>th</sup> and all members of the Warren County Board of Supervisors were welcome to participate.

Mr. Conover noted that Chairman Geraghty had asked him to review certain features of the occupancy tax distribution program and he had since been trying to touch base with all members of the Board of Supervisors for their feelings on the matter; he asked any Supervisors he had not discussed the issue with to contact him directly to set up a meeting.

Mr. Kenny questioned why the County had not yet applied for the necessary NYSDEC permit to advance the Airport runway extension project. Mr. Tennyson responded that they were currently in the process of completing the environmental assessment work which needed to be completed before the permit was sought.

Mr. Dickinson advised the Cadillac & LaSalle Club had held their Grand National meeting in Lake George during the prior week. He noted that although this was only a four-day event, many attendees had traveled to the area early and spent extra time in Lake George preceding the event, enjoying the excellent weather and patronizing local hotels, businesses and restaurants. Mr. Dickinson advised the Grand National meeting had featured 500+ cars, 300 of which were competing for awards. He said this was a very well received event and he was happy to see it hosted in Lake George. Lastly, Mr. Dickinson stated he was always encouraged by the momentum and growth of SUNY Adirondack and the potential they presented; he added the facility was a true asset to both Warren and Washington Counties and it was rewarding to see their success.

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With regards to the most recent Sales Tax Report, Mr. Westcott commented they had seen a nice increase of 5.3% for the last quarter, contributing to a 1.4% increase year-to-date which was better than anticipated. He then reiterated comments made by Mr. Thomas, Budget Officer, that although this was still behind their plan, they were moving in the right direction. Mr. Westcott opined that if they were to ask those who ran businesses that generated the sales tax revenues in Warren County, these constituents would likely state there was nothing “free” about these monies that they had worked very hard to generate and the Board of Supervisors should keep this point in mind. Finally, Mr. Westcott commended the Invasive Species Sub-Committee for their leadership as it appeared the boat inspections were working very well.

Referring to the extremist lawsuits Mr. Monroe had previously eluded to, Mr. Thomas commented it was difficult to attract investments to communities in Warren County and those difficulties were only compounded by Adirondack Park Agency regulations and environmental extremist lawsuits. Given these factors, he stated it was no wonder that the northern Warren County communities were struggling and basically dying.

Mr. Beaty stated that he had attended the July 1<sup>st</sup> public hearing held regarding eminent domain proceedings for Airport projects and had been almost disgusted with them. He said two representatives from Warren County had been present at the meeting, as well as representatives from C&S Engineers and their subcontractor R.K. Hite Corporation, and it was apparent that the representatives were instructed by R.K. Hite not to answer any questions. Mr. Beaty stated that this action had led the 60 attendees to be very disappointed in the way government works in Warren County, and he counted himself as one of them. He commented that while he was aware the representatives were not legally obligated to answer questions, holding a public hearing and then refusing to answer questions only served to portray bad government and a lack of transparency. Mr. Beaty stated it was his hope that for future public hearing meetings, County officials would refrain from taking the advice of a private contractor and would reciprocate in answering the questions posed to make for good government.

Ms. Wood announced that on July 26<sup>th</sup> the Town of Thurman would hold a showcase event at the Thurman Train Station. She noted that the event would last into the afternoon, following which, she suggested visitors might stop in the Town of Warrensburg for the Smoke Eaters Jamboree in the evening to make a full day of events.

Concluding the agenda review, Chairman Geraghty offered privilege of the floor to those members of the public wishing to address the Board.

Privilege of the floor was extended to Mr. Whitehead who began by correcting a statement Mr. Sokol had made during his report, through no fault of his own. He explained the minutes of the June 27<sup>th</sup> Health Services Committee meeting reflected that the discussion about missing Medicaid payments in the range of \$800,000 were IGT Funds, but he said he had confirmed with Ms. Henkel that this was incorrect and that they were talking about Siemens payments (*Medicaid Rate Appeals*). He further explained that these payments still had not been received, and in subsequent conversations with Ms. Henkel she had expressed her concern that there might be another audit which the County may not be in a position to deal with because she was unsure whether she, or the records, would be available to complete it. Mr. Whitehead stated that the lack of payment of the \$800,000 in Medicaid Rate Appeals monies owed from 2008-2013, plus whatever amount was determined for 2014, was at issue here and brought to mind the question that the Appeals payments requested for past years went unpaid, would they be paid for future years. He recalled prior indications that there was a tentative agreement or understanding between Warren County and the prospective buyer of Westmount Health Facility

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*(Specialty Care)* that if Medicaid Rate Appeals payments were not realized, the County would make good on them. So potentially, he continued, the County faced the obligation of paying the \$800,000 in unreceived Medicaid Rate Appeals payments for 2008-2013, and potentially another \$1 million or so, to a company that was trying to buy Westmount for a little over \$2 million. Mr. Whitehead stated he felt this issue should be considered because if this process was allowed to go on any longer, he would be able to buy Westmount with the money in his pocket. *Note: Prior to the July 18<sup>th</sup> Board Meeting, the June 27<sup>th</sup> Health Services Committee minutes had been revised at the request of Ms. Henkel to correctly reflect the discussion had centered around missing Medicaid Rate Appeals funding, rather than IGT funding.*

Mr. Whitehead proceeded to comment on some additional information received at the June 27<sup>th</sup> Health Services Committee meeting where he raised a concern that the Board had not yet voted on the Siemens Year Eight Performance Report. He noted that each year the Board had voted on the annual report and on every occurrence had stated “we don’t understand what we are voting on”, but they had voted to approve the reports anyway. Mr. Whitehead pointed out that this year, the Board authorized spending an extra \$15,000 to secure a contract with EnerNoc to provide consultant services for the reports, with the EnerNoc analysis received agreeing very closely with what he had been trying to tell the Board for the past year, and yet the Year Eight Performance Report has still not been brought to the floor for approval. He said he had questioned when the Year Eight Performance Report would be considered and had also asked about the Year Nine Report, because they were already entering into that time frame. Mr. Whitehead stated that in response to his inquiry, Ms. Henkel had indicated she had some concerns about the Year Nine Report as well, because, historically, by now she would have expected inquiries to be made by Siemens representatives to obtain the information they would need to complete that report, and she confirmed that she had not yet been contacted. Mr. Whitehead advised this statement had alarmed him because earlier, as part of the proposal presented by Mr. Dusek on the \$2.5 million purchase of Westmount Health Facility by Speciality Care, he recalled the agreement included verbiage about eliminating the Performance Reports. He reminded the Board Members that in April he had expressed his concerns about this contractual clause because the Siemens contract was very clear that if the Performance Reports were discontinued, the County would also abrogate all responsibilities for Siemens to honor their guarantee. Mr. Whitehead estimated a shortfall in that guarantee of close to \$1 million and stated this was no small matter to investigate. He indicated that during the June 27<sup>th</sup> Health Services Committee meeting, Mr. Dusek had stated that he would refer the matter to the County Attorney, and he questioned whether Mr. Auffredou had reviewed the matter and determined whether the Year Nine Performance Report would be forthcoming.

Mr. Auffredou responded that he would advise the Board of Supervisors when this information was available to him, and Mr. Whitehead responded this inability to respond represented another example of an area where the County was lacking in governmental transparency. As a second example of a situation lacking in transparency, Mr. Whitehead cited the July 3<sup>rd</sup> County Facilities Committee Meeting, which had been held just two days after the public hearing where County officials had refused to comment on the need for eminent domain proceedings relating to Airport projects. Mr. Whitehead reiterated that during the public hearing, two highly paid consultants had been present, but refused to answer any questions as to the purpose of the meeting or the need to take private property by way of eminent domain proceedings. He said this issue had resurfaced at the July 3<sup>rd</sup> County Facilities Committee Meeting when a number of questions were asked; Mr. Whitehead then proceeded to read/paraphrase from the July 3<sup>rd</sup> County Facilities Committee Meeting Minutes, as follows:

*“After Mr. Westcott had asked about a map, Mr. Dubarry advised that he would provide Mr. Westcott with a copy of the map he requested. A little later on, Mr. Whitehead requested that Mr. Dubarry ensure that these items were addressed on*

*the copy of the revised map he would be providing Mr. Westcott.”*

Mr. Whitehead explained this discussion pertained to whether or not an area that was indicated on the map that day truly had anything to do with the existing runway, or whether it pertained to the proposed runway extension, and Mr. Dubarry had agreed to provide that information after the meeting. He said he had also advised Mr. Dubarry during this meeting that there was a map created by C&S Engineers in 2009 which seemed to better explain the whole situation and would provide a better point of reference and he asked Mr. Dubarry to provide him with a copy. Mr. Whitehead stated that Mr. Westcott had made the following statement, as quoted from the July 3<sup>rd</sup> County Facilities Committee Meeting Minutes:

*“...he would be unable to approve the amendment without reviewing the correct map. Mr. Dubarry interjected that although the map displayed the runway extension it was the correct map for the purposes. Mr. Westcott pointed out that the RPZ was based on the runway extension and not on the existing runway. Mr. Dubarry apprised the future RPZ” and “Mr. Dubarry replied that he would ask C&S Engineers to revise the map and remove the future conditions”*

*Mr. Vanselow left the meeting at 12:01 p.m.*

Mr. Whitehead advised he had been attempting to contact Mr. Dubarry to obtain the maps he had promised, to no avail. He said he was aware Mr. Dubarry had been on vacation following the July 3<sup>rd</sup> County Facilities Committee Meeting, but noted that he wasn't on vacation this week. Mr. Whitehead apprised he had called Mr. Dubarry a couple of times on Wednesday, July 16<sup>th</sup> with no answer and had finally reached a receptionist on Wednesday afternoon only to be told that Mr. Dubarry was in the building, but away from his desk; he added he had requested a return call, but had not received one. Mr. Whitehead advised he had tried calling Mr. Dubarry several other times that day but there was no answer. He expounded that on the next day, Supervisor Westcott made a call, again trying to get the information promised to them for review before the Board Meeting in preparation of the vote on Resolution No. 354 which was adopted earlier in the meeting. As a side note, Mr. Whitehead pointed out that it would have been best for the Board of Supervisors to have a better understanding of the resolution before voting on it and clarification would have been provided by the information requested of Mr. Dubarry. Mr. Whitehead continued that since neither himself or Supervisor Westcott had been successful in reaching Mr. Dubarry, they assumed it was likely that Mr. Dubarry was avoiding them and the best course of action to reach him would be to visit the Airport. Mr. Whitehead apprised that he had been the first to arrive at the Airport and was directed upstairs to Mr. Dubarry's office. He said he was about to knock on the door when he heard that Mr. Dubarry had just started a telephone conversation, the first few words of which were directed to Mr. Tennyson, and were along the lines of "I have been getting calls from Supervisor Westcott, and I don't know what he wants, but if he shows up here I am going to say that I have a meeting that I am late for, and leave". Mr. Whitehead stated that this seemed to confirm that Mr. Dubarry was attempting to avoid the issue and did not intend to speak with either himself or Supervisor Westcott. He explained that when he heard those first few words of the telephone conversation he had knocked on the door loudly, and when he received no response, had knocked again, following which Mr. Dubarry had said he was "on the phone". Mr. Whitehead stated that he could not hear the remainder of the telephone conversation, but awhile later when it was clear the conversation had ended and no one had answered the door, he knocked once again. He indicated that at this point Mr. Dubarry came to the door and Mr. Whitehead said he had confronted Mr. Dubarry with what he had heard; in response, he said Mr. Dubarry had stated "I have a meeting I am late for and I have to leave". Mr. Whitehead said he had then told Mr. Dubarry exactly what he thought about the situation and it was at about this time Supervisor Westcott arrived, approaching Mr. Dubarry in a much



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more courteous manner than he had used. He stated that Supervisor Westcott had asked Mr. Dubarry if they could meet later in the day and in response, Mr. Dubarry had explained how busy he was and proceeded to leave.

Mr. Whitehead commented that Mr. Dubarry evidently wasn't so busy as to prevent him from discussing the matter, likely with Mr. Tennyson and he wouldn't be surprised if with counsel, because he had taken the time to file a complaint with the Warren County Sheriff's Office, prompting two Sheriff's Officers to visit his home. He said he'd had quite a discussion with the Officers who indicated they didn't really know why they were there, and when asked if he had done anything wrong, the Officers had said they did not see any evidence of wrongdoing, but indicated they had been dispatched to take a report. Mr. Whitehead said he had provided his side of the story, subsequent to which the Officers indicated his recounting of the incident matched exactly with the one Mr. Dubarry had provided, so he failed to understand the need for this action. Mr. Whitehead advised his wife had been quite horrified that the Sheriff's Officers had visited their home and had told him this was nothing to be proud of. He stated that while this situation may not be something to be proud of, "it's what you get when you deal with Warren County". Mr. Whitehead said there was a severe lack of transparency in this situation that nobody wanted to address or discuss. He indicated that he had forwarded detailed information to Mr. Tennyson on July 7<sup>th</sup> with his concerns over the graphics that were presented at prior meetings, but Mr. Tennyson failed to respond to either himself or Mr. Westcott, and he said he was really quite tired of the lack of response on these issues. Mr. Whitehead concluded that he agreed with Mr. Beaty's earlier comments, adding that he was quite embarrassed to be associated in any way with County officials.

Robert Greene, Town of Warrensburg resident, recounted an incident that had occurred two years ago when a commercial coin operated washing machine had disappeared from his property and re-appeared a few days later in a local salvage yard where the video surveillance system was apparently not working. Mr. Greene stated that he had been provided with a copy of the slip the person had signed when depositing the washing machine for scrap value which showed a false name and signature; he added that the person had not provided any photo identification during their visit. Mr. Greene apprised that he had submitted all of this information to the Sheriff's Office immediately following the incident, but since that time had received more information about the person who had taken the washing machine, including a name, the community the person lived in and a facial and vehicle description, all of which he had also submitted to the Sheriff's Office several months ago. Mr. Greene stated that since the information was submitted, the only response he had received from the Sheriff's Office was a call to verify all of the information given. He advised he was very discouraged by the lack of action on the incident and did not know where else to turn since it seemed the Sheriff's Office was not interested in addressing the issue. Chairman Geraghty indicated that he would contact the Sheriff's Office to try and follow up on the matter for Mr. Greene.

*Mr. Kenny left the meeting at 12:10 p.m.*

Dr. Fredd Senser-Lee, Founder of Botanical Blossomings on the Bikeway-USA, distributed a handout to the Board Members entitled "*The Wow of Bow-Wow*", a copy of which is on file with the items distributed at the Board Meeting, which included descriptions of several area bikeways from Westchester, NY to Fort Edward, NY, all of which were dog-friendly except for the Warren County Bikeway which prohibited them. Dr. Senser-Lee indicated that he had worked extensively along various Bikeways for the past three years and had yet to encounter any negative dog-related experiences; additionally, he stated that he had contacted every local animal control person, none of whom could recall a dog biting incident occurring on a Bikeway. Since tourism was a big draw to Warren County, Dr. Senser-Lee said he felt the Board should review and revise the local laws governing use of the Warren County Bikeway to make it dog-friendly. Chairman Geraghty advised the request would be referred to the Public Works Committee

for review.

Privilege of the floor was extended to Supervisor Westcott who recalled Mr. Auffredou's prior statement that he would advise the Board when he had new information to report relative to the status of the Siemens Year Nine Performance Report and he questioned whether Mr. Auffredou could provide any indication of a time frame when this information was expected. Mr. Auffredou reminded Mr. Westcott that the County had contracted with special counsel to review and advise on this, and other, issues and he said he suspected that in due course when special counsel reported on the various items being reviewed, an update on the status of the Siemens Year Nine Performance Report would be included. Mr. Westcott again inquired about the timing of the report, asking if Mr. Auffredou could estimate whether they expected to wait a month or a year and Mr. Auffredou responded that he could not make any assumptions at this time.

With regards to Resolution No. 354, *Authorizing the Chairman of the Board of Supervisors to Execute an Amended Short Environmental Assessment Form and Issuing a Determination of No Significant Environmental Impact for the Land/Easement Acquisition over Property Owned by Forest Enterprises Management, Inc.*, Mr. Westcott apprised that all he wanted prior to the vote on this resolution had been to review the map that correctly pertained to the situation. He apprised that when the original request was presented at the July 3<sup>rd</sup> County Facilities Committee Meeting, it had been done with the wrong information to present the rationale for the action, leading him to request a revised map. Mr. Westcott explained the map that was presented with the request had reflected the Runway at a 6,000 ft. length including the proposed 1,000 ft. extension, rather than at the actual current length of 5,000 ft.; he added that he had also questioned the accuracy of the Airport classifications used to develop the map. Mr. Westcott advised the significance of these factors was that they impacted all of these runway protection zones and determined what land acquisitions were necessary. He reiterated that all he had wanted was the information promised to him at the July 3<sup>rd</sup> County Facilities Committee Meeting. He said he had made multiple calls and had attempted to visit the Airport Manager to obtain the map, but had still arrived at today's Board Meeting without any input on his concerns, leading him to vote against Resolution No. 354. Mr. Westcott stated he still did not know whether or not this course of action was the right thing to do because he never had the right information to work with.

Finally, Mr. Westcott stated he wanted to comment on Mr. Whitehead. He said that since the time he had joined the Board of Supervisors, Mr. Whitehead had been as hard on him as anyone else. Mr. Westcott advised he had embraced Mr. Whitehead's input in an attempt to consider his viewpoints, and in doing so, had learned a few things about the man. One, he said, was that when he was wrong Mr. Whitehead had brought it to his attention forcefully and he had generally found that Mr. Whitehead had been right, and he'd been willing to admit that. Number two, Mr. Westcott continued, was that this was a man who was passionate about getting things right and they, as a County, should do everything they could to try and answer Mr. Whitehead's questions. And number three, he said, was that when Mr. Whitehead has been wrong a few times, which Mr. Westcott said he liked to remind Mr. Whitehead of, Mr. Whitehead was the first person to admit it. Mr. Westcott stated that Mr. Whitehead was a good man who was trying to do the right thing for the citizens of Warren County. He concluded that what had taken place yesterday was unfortunate and he was very sorry to have walked in on it; he added that he hoped the County would work to better address these situations in the future.

Privilege of the floor was extended to Mr. Monroe who spoke briefly about Mr. Merlino's presentation regarding a proposal to revise the methods used for sales tax distributions. Mr. Monroe said he assumed there were different laws pertaining to sales tax distributions and he suggested that before the proposal was discussed any further, the matter be referred to the County Attorney for review and advisement on what options were legally viable. Secondly, Mr. Monroe said he was concerned that

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public hearings were being held where questions not relating to privileged information were not being answered. He stated that regardless of the fact that he fully supported the Runway extension project and did not agree with all of the opposition to it, he felt transparency in government was very important and any questions that could be answered should be. Mr. Monroe concluded that going forward, any public hearings held should be conducted in this manner.

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