

# Warren County Board of Supervisors

**BOARD MEETING  
FRIDAY, JULY 21, 2017**



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. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Hyde.

Roll called, the following members present:

Supervisors Leggett, Girard, McDevitt, Braymer, Frasier, Simpson, Dickinson, Merlino, Strough, Seeber, Beaty, Montesi, Thomas, Hyde, Geraghty and Conover - 16; Supervisors Brock, MacDonald, Vanselow and Sokol absent - 4.

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the June 14, 2017 Board Meeting, subject to correction by the Board. The motion was made by Supervisor Frasier, seconded by Supervisor Thomas and carried unanimously.

Proceeding with the Agenda review, Chairman Conover offered privilege of the floor to Supervisor Seeber for the presentation of a Certificate of Excellence to Bonnie Nadig, *Commissioner of Jurors*, in recognition of her twenty-four years of dedicated public service to the Unified Court System of Warren County, eleven of which she served as the Commissioner of Jurors. Supervisor Seeber stated although Ms. Nadig was retiring, she would be leaving behind quite a legacy which included a best practice throughout the State. She mentioned Ms. Nadig had made a significant number of accomplishments during her tenure, noting not only the great job she did on behalf of Warren County, but also the State. She remarked it was with great pleasure that the Board recognized Ms. Nadig's years of service and thanked her for same. She congratulated Ms. Nadig on her retirement and a round of applause was given.

Ms. Nadig thanked everyone and advised she thoroughly enjoyed her time serving as the Commissioner of Jurors for Warren County, but she was looking forward to retirement. She added she would work with her successor to ensure the best practices remained in place going forward. A second round of applause was given.

Mr. MacDonald entered the meeting at 10:03 a.m.

Continuing with the Agenda review, Chairman Conover declared the Public Hearing on the proposed Tentative Budget for Adirondack Community College (SUNY Adirondack) for Fiscal Year 2017-18 open at 10:04 a.m. and he requested the Clerk of the Board read the Notice of Public Hearing aloud. Following the reading of the Notice of Public Hearing by Amanda Allen, *Clerk of the Board*, Chairman Conover offered privilege of the floor to any member of the public wishing to speak on the proposed Tentative Budget for SUNY Adirondack, but there was no one wishing to speak. He advised that they would leave the Public Hearing open while they proceeded with the Agenda review to allow time for the SUNY Adirondack representatives to arrive and respond to any questions on the matter.

Resuming the Agenda review, Chairman Conover declared the Public Hearing on the proposed

**WARREN COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING**  
**FRIDAY, JULY 21, 2017**

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amendments to ground lease agreements with Schermerhorn Aviation, LLC for Hangar #5 and Hangar #6 located at the Warren County Airport to construct parking areas and to build and maintain stormwater drainage areas on leased property open at 10:05 a.m. and he asked Mrs. Allen read the Notice of the Public Hearing aloud. Chairman Conover then called for public comment.

Supervisor Merlino entered the meeting at 10:06 a.m.

Bill Loeb, *City of Glens Falls 4<sup>th</sup> Ward Resident*, informed for full disclosure he had formerly served as an elected member of the Board of Supervisors, and during his term it was well documented that he was fully supportive of the Airport. He added it was also documented that he was in favor of clarity, open debate and discussion with no “smoke screens” pertaining to the contracts with the County. He advised he was a candidate for the 4<sup>th</sup> Ward Supervisor position that Supervisor Brock would be vacating at the end of the year. He remarked he felt that Richard Schermerhorn had done a good job in his work as the FBO (*Fixed Based Operator*) for the Airport which was why he supported his efforts to continue on as the FBO for the County. In regards to services, Mr. Loeb mentioned he felt it was imperative for the Supervisors to maximize the resources of the Airport, as it was an important part of the transportation and communication system for the County and the region, the same as the waterways and roadways were. He cautioned them to never lose sight of the fact that there were certain things private industry would not do for the community which resulted in these responsibilities falling upon the County as a public service.

Chairman Conover once again called for any comments on the Public Hearing on the proposed amendments to ground lease agreements with Schermerhorn Aviation, LLC for Hangar #5 and Hangar #6 located at the Warren County Airport to construct parking areas and to build and maintain stormwater drainage areas on leased property, and there bring none, he declared it closed at 10:08 a.m.

Proceeding with the Agenda review, Chairman Conover declared the Public Hearing on submission of an application for funding by the Planning Department to the NYS 2017 Consolidated Funding Application for Community Development Block Grant funds open at 10:09 a.m. and he asked Mrs. Allen read the Notice of the Public Hearing aloud. Chairman Conover then called for public comment; there being no response he closed the Public Hearing at 10:11 a.m.

Patricia Tatich, *Associate Planner*, informed she had distributed a summary sheet which provided all the information on the Consolidated Funding Application for Community Development Block Grant funds which would be submitted next week. She said their request was for up to \$50,000 for an analysis of the building which they were encouraged to submit by the New York State Office of Homes and Community Renewal.

Moving on to the report by the Chairman of the Board, Chairman Conover read aloud the listing of meetings he had attended since the June Board Meeting. He reported on the July 8<sup>th</sup> Annual Meeting of the Fund for Lake George at the Sagamore Resort which was standing room only. He said the presentation there concerned what was taking place relative to Lake George. He mentioned a meeting scheduled for August 25<sup>th</sup> as the initial kick off regarding the development of a Shared Services Plan and he encouraged all to attend. He urged those who were unable to be present to submit any suggestions they had to Mrs. Allen to ensure they were incorporated into the project list.

Chairman Conover then called for the reports by Committee Chairmen on the past months meetings or activities.

Supervisors Hyde and Leggett indicated they had nothing to report on.

**WARREN COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING**  
**FRIDAY, JULY 21, 2017**

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---

Supervisor Girard stated that he would like to bring back to the floor Resolution No. 223, *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation for the Runway 1-19 Extension/Phase II FAA RA- Final Design at the Floyd Bennett Memorial Airport*, which was tabled at the June 14<sup>th</sup> Board Meeting.

Motion was made by Supervisor Girard and seconded by Supervisor Simpson an to bring Resolution No. 223 of 2017 back to the floor. Chairman Conover called for a show of hands to determine whether the Board was in favor of the motion; Supervisors Leggett, Girard, McDevitt, Frasier, Simpson, Dickinson, Merlino, Strough, Montesi, Thomas, Hyde, Geraghty and Conover voted in favor; Supervisors Braymer, MacDonald, Seeber and Beaty were opposed; and Supervisors Brock, Vanselow and Sokol were absent. Chairman Conover noted the majority were in favor bringing Resolution No. 223 of 2017 back to the floor.

Supervisor Girard informed proposed Resolution No. 290, *Authorizing Amendments to the Airport Real Property Lease Agreements with Schermerhorn Aviation, LLC for Hangar No. 5 and Hangar No. 6 at the Warren County (Floyd Bennett Memorial) Airport to Modify the Schedule "A" Map of Premises*, was approved at the June 19<sup>th</sup> County Facilities Committee meeting. He announced the annual Golf Tournament for Cornell Cooperative Extension was scheduled for August 26<sup>th</sup> and he encouraged those who had not already signed up to participate to do so. He reminded them this was their largest fundraiser and had commenced as an alternative means to raise funds to continue their operation after the County cut back its contribution to them several years ago. He requested that Dr. James A. Seeley, *Executive Director of Cornell Cooperative Extension*, provide the Board with an update on the organizations activities.

Dr. Seeley confirmed that the Golf Tournament and was their largest fundraiser. He added the Warren County Youth Fair was scheduled for August 12<sup>th</sup> at the Warren County Fairgrounds.

Supervisor Girard apprised that the issue with the roof on the Cornell Cooperative Extension would be taken care of in-house by County staff prior to the winter months.

Supervisor McDevitt informed it was a matter of concern any time a community lost a local grocery store which was why he was working with Supervisor Girard and Ed Bartholomew, *President, Warren County Economic Development Corporation*, to find a replacement for the Price Chopper located within the 2<sup>nd</sup> Ward of the City of Glens Falls on Dix Avenue. He said many of his constituents, most of whom were senior citizens, had expressed their displeasure pertaining to the closing of the store which they frequented.

Supervisor Braymer stated in the absence of Supervisor Brock, she would report on the June 26<sup>th</sup> meeting of the Environmental Concerns & Real Property Tax Services Committee wherein they approved proposed Resolution Nos. 258-259 which she provided a brief summary of. She said during the meeting Wayne LaMothe, *County Planner*, had provided an update pertaining to his follow up on some State grants relating to invasive species control. She informed it appeared the County would be reimbursed for a significant portion of its costs relating to the boat washing stations. In regards to the "Responsible Boating Initiative", Supervisor Braymer advised the efforts had been ongoing with most of the work taking place on the east side of the lake, primarily in the Towns of Bolton and Queensbury. She said Supervisor Seeber had been spending time on this effort with her garnering donations but she was hopeful they would receive some County funding for this cause. She remarked she was pleased to report that the Village of Lake George had donated \$2,000 to the Initiative. She said they would be discussing how the County would manage the donations for this initiative within at next weeks Criminal

**WARREN COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING**  
**FRIDAY, JULY 21, 2017**

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Justice & Public Safety Committee meeting.

Supervisor MacDonald stated that while he had attended numerous Committee meetings and made a number of public appearances since he did not Chair a Committee he had no report; however, he said, he would like to thank the representatives of Just Beverages, and Ed Moore, *Owner, Queensbury Hotel and Adirondack Civic Center Coalition member*, for graciously being the guest speakers at the quarterly Town Hall meeting he and Jim Clark, *Glens Falls Common Council member*, hosted at Havilands Cove. He added he would also like to thank Talk of the Town restaurant for donating their dinner that evening.

Supervisor Frasier reported on the June 20<sup>th</sup> meeting of the Health, Human & Social Services Committee where a number of resolutions were approved; she noted it was necessary for proposed Resolution No. 263, *Accepting Donation from the Children's Committee of Warren County to the Department of Social Services for Financial Assistance to Children in Foster Care and Authorizing the Chairman of the Board of Supervisors to Send a Letter of Appreciation*, to be withdrawn, as the purpose was to accept funding to pay for a part-time position rather than to provide financial assistance to foster care through a monthly allowance.

Motion was made by Mrs. Frasier, seconded by Mr. Simpson and carried unanimously to withdraw proposed Resolution No. 263 of 2017.

Supervisor Frasier continued with a summary of proposed Resolution Nos. 260-262 and 264-271 approved at the June 20<sup>th</sup> Health, Human & Social Services Committee meeting. She mentioned Supervisor Vanselow was home now but still recovering from his illness. She proceeded to report on the June 20<sup>th</sup> meeting of the Support Services Committee wherein proposed Resolution No. 276-277 were approved.

Supervisor Simpson advised that the Public Works Committee met on June 19<sup>th</sup>, wherein proposed Resolution Nos. 273-275, were approved which he provided a brief summary of. He mentioned there was a slight increase in the rate of reimbursement the municipalities would receive for roadway maintenance they did on County roads.

Supervisor Dickinson indicated he had nothing to report on.

Supervisor Merlino stated proposed Resolution No. 278, *Authorizing Extension of the Agreement with the Lake George Regional Chamber of Commerce to Provide Management of Festival Commons Website, Social Media Sites and Development of Marketing and Promotional Services for the Festival Commons*, was the only resolution originating from the Tourism Committee through the out-of-Committee approval process. He continued with a report on the June 19<sup>th</sup> meeting of the Park Operations & Management Committee wherein they approved proposed Resolution No. 272, *Authorizing Reduced Fee for Use of the Festival Commons at the Charles R. Wood Park for the Prospect School's 26<sup>th</sup> Annual Volleyball Tournament*, which he provided a brief overview of. Supervisor Merlino informed that the Tourism Committee meeting was scheduled for August 31<sup>st</sup> during which they would review a major Star Report and he requested all of them attend if possible.

Supervisor Strough indicated he had no report.

Supervisor Seeber advised that the Personnel & Higher Education Committee had met on two occasions this month, first on June 29<sup>th</sup>, approving proposed Resolution Nos. 279-280 which she provided a brief overview. She thanked Amy Clute, *Self-Insurance Administrator*, and Jackie Figueroa, *County Human*

**WARREN COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING**  
**FRIDAY, JULY 21, 2017**

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*Resources Director*, for developing a streamlined and a confidential application process pertaining to when an employee has a medical need which required them to make a request for a modification, such as stand up desk. She added another positive aspect about the process was that it had alleviated the issue for Department Heads, as previously modification requests were submitted to them and sometimes denied due to the lack of funds available within their budget. Supervisor Seeber informed all of the dates for the final performance evaluations had been distributed and would be held on September 18, 20, 21 and 26, 2017. She stated emails would be distributed notifying them the specific time the evaluation team they were a member of was meeting. She said a lengthy discussion regarding the Self-Insurance option for the County Health and Prescription Plans occurred at the meeting, as well, which was why she hoped they would be prepared to continue the discussion and cast a vote on how they would like to move forward at the August 3<sup>rd</sup> Personnel & Higher Education Committee meeting. She added representatives from Jaeger & Flynn Associates, *the Healthcare Broker for the County*, would be present at the meeting to do an additional presentation regarding the proposed changes to the County Health Plan. In conclusion, Supervisor Seeber remarked she would like to commend Supervisor Braymer's leadership along with Jason Carusone, *Acting District Attorney*, Bud York, *Warren County Sheriff*, and Dave Wick, *Executive Director, Lake George Park Commission*, for their work on the initiative to stop boating while intoxicated. She informed they had confirmed with the County Treasurer's Office that the County was now able to collect donations as long as the memo line of the check stated "Stop BWI". She mentioned she was appreciative of being able to work with Supervisor Braymer, as well as the commitment from the Board to lead by example in the County by partaking in a "Stop BWI Initiative".

Supervisor Beaty apprised that the Shared Services Committee had not met last month, but as indicated earlier by Chairman Conover, a public meeting was scheduled on August 25<sup>th</sup> pertaining to how to consolidate and share services amongst one another. He mentioned all of the School Districts located within the County had been invited to the meeting and he hoped they would attend, as this was an initiative being driven by the State which he was fully supportive of. He encouraged all of the Town Supervisors to attend since they had a vested interest, as well.

Supervisor Montesi informed that a tour was taken this morning of the Court Expansion Project which was moving forward slightly ahead of schedule and on budget. He remarked he was impressed with the progress that was being made there. He stated he toured a few sites in the Town of Queensbury, as well as the site in the Town of Lake Luzerne where the roads had been washed out with representatives of the Office of Emergency Services yesterday. He said he believed the representatives from the Department of Homeland Security would be traveling to the Towns of Bolton, Hague, Horicon, North Creek and Stony Creek today to inspect the flooding damage, the worst of which was in North Creek where the damage was estimated to be over \$900,000. He stated they were working with both the State and Federal Governments in an effort to try and recoup some of the money expended to repair the damage from the flooding. He commented he was impressed with the work that was being done to repair the damage; he noted the Town of Queensbury was able to reopen two of the roads that had been washed out. In regards to the Warren County Soil & Water Conservation District, Supervisor Montesi informed they had a meeting concerning the quality of lake water in the Town of Warrensburg during which they met with representatives of Lake George, Schroon Lake, Glen Lake, Lake Sunnyside and Schroon Lake to discuss some of the issues the lakes were dealing with and how they could work together to solve some of these issues. He indicated it appeared that they were making good headway on the reduction of milfoil.

In the absence of Supervisor Sokol, Chairman Conover offered privilege of the floor to Mike Swan, *County Treasurer*, to provide the monthly update regarding County finances. He informed sales tax collection was slightly down over the last quarter, but overall was still up about 1.5% as compared to

**WARREN COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING**  
**FRIDAY, JULY 21, 2017**

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the same time last year. He mentioned the amount of occupancy tax collected so far this year was still greater than it was last year; however, he noted, the collections over the past month were slightly less than during the same timeframe last year. He equated the fact that they were still ahead of the figures from last year to the collection during the first quarter of the year which was a significant increase over the prior year. He said they had just made the final payment on the Co-Generation Plant at the former Westmount Health Facility and Centers was up-to-date on their payments to the County.

Supervisor Geraghty inquired whether a payment had been received from the SNCR (*Saratoga North Creek Railroad*) and Mr. Swan replied in the negative. He said he saw a copy of their payment but he had not received a hard copy yet. He stated SNCR had supplied the required reports to his Office that they had been behind on since February; however, he apprised, they were in a format his Office could not read so he requested that they be re-submitted.

Supervisor Montesi questioned the total amount of bad debt which related to the former Westmount Health Facility and Mr. Swan responded the total relating to private pay was slightly more than \$1 million, half of which involved four different claimants that he was working with the Clements Law Firm to collect. He added he had been appointed as the administrator for three of those estates and presently they were in the process of trying to locate the assets. The remaining amount consisted of smaller claims the law firm was going to attempt to collect on a percentage basis.

Supervisor Thomas advised the budget packets would be distributed shortly to all of the Department Heads. He informed the New York State Comptroller's Office had set the inflation factor of 2% at 1.84% which equated to about \$780,000 when applied to last years tax levy. He said he felt this was a good rate, noting if the retirement expenses remained flat, the County moved forward with a Self-Insured Health Plan and no large projects were undertaken, the County may be able to generate additional revenue to lower the use of the Unappropriated Surplus and pay down some of the debt.

Continuing to the report by the acting County Administrator Supervisor Geraghty read aloud a listing of the meetings he attended since the June 14<sup>th</sup> Board Meeting; a copy of which is on file with the items distributed at the Board Meeting. He mentioned the paving work completed by the Department of Public Works this year was going well, noting he felt there had been a significant improvement with the quality of the work as compared to prior years which he had expressed to the Paving Foreman. He informed the "Glamping Tour" taking place at the Warren County Fairgrounds was utilizing most of the property. Supervisor Geraghty reported on a meeting with the representatives of the NYSDOT (*New York State Department of Transportation*) on June 26<sup>th</sup> during which the County was notified the State was able to secure funding to pave State Route 418 with the work scheduled to commence next week. He advised that the individual who erected the sign in the Town of Warrensburg which contained an anti APA (*Adirondack Park Agency*) message on it had agreed to take it down and donate it to the Blue Mountain Lake Museum. He said this individual indicated to him even though he was removing the sign, he still felt a disdain for the APA which related to them not addressing the lack of accessibility for disabled individuals in the park area. In regards to the consolidation efforts, Supervisor Geraghty advised that he had fielded several calls from the State regarding their concern that the County move forward on this initiative. He said all of the Town Supervisors received a letter last week which contained a questionnaire which needed to be filled out and brought with them to the initial meeting. He stated due to the timing they would not have a plan in place for 2017 so they would need to defer the plan until the following year which the State would require a resolution or some other form of action stating such. He pointed out a number of Counties were struggling with their efforts for consolidation which he felt may occur here, as well. He said he explained to the State that the County had already undertaken a number of consolidation efforts; however, he noted, there would be other opportunities to garner some more cooperation from entities. He requested that they bring any ideas they had to the

**WARREN COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING**  
**FRIDAY, JULY 21, 2017**

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meeting, as the taxpayers would benefit from these efforts which was why it was important for them to remain focused on this initiative.

Privilege of the floor was extended to Brian Reichenbach, *County Attorney*, to provide a report from the County Attorney. Mr. Reichenbach apprised that he had some personnel changes in his Office, as Amy Bartlett, *Assistant County Attorney*, who retired from the full-time position last year but remained on staff part-time, had officially left the Office yesterday. He acknowledged Ms. Bartlett for the twenty-two plus years of dedicated service to the County Attorney's Office. He introduced Benjamin Botelho, *Second Assistant County Attorney*, whom he recently hired and provided a brief overview of his background which consisted of graduating from Albany Law School in 2014 and recently moving to the City of Glens Falls. He asked Mr. Botelho to stand up following which a round of applause was given.

Resuming the Agenda review, Chairman Conover called for the reading of communications, which Mrs. Allen read aloud, as follows:

Reports from:

1. Report of Criminal and Family Workloads for May 2017 from the Warren County Probation Department.
2. Capital District Regional Off Track Betting Corp. Financial Reports dated March 31, 2017 and April 30, 2017.
3. Monthly reports from the Warren County Department of Weights & Measures for the months of January - May, 2017

Capital District Regional Off Track Betting Corp. surcharge check in the amount of \$3,994.

NY Parks, Recreation and Historic Preservation letter informing that the Heintzelman Library, located in Brant Lake, NY, has been listed on the National Register of Historic Places, effective June 26, 2017.

NY State Department of Public Service letter advising that Niagara Mohawk Power Corporation d/b/a National Grid has requested that the New York State Public Service Commission approve a proposed increase in its electric and gas delivery rates.

Warren County Attorney Brian Reichenbach letter advising Benjamin M. Botelho, resident of Glens Falls, has been appointed as an Assistant County Attorney.

Warren County Attorney Brian Reichenbach written designation appointing Mary Elizabeth Kissane as First Assistant County Attorney and Benjamin Botelho as Second Assistant County Attorney and citing the order in which Assistant County Attorneys shall exercise the powers and duties of the County Attorney's Office in the absence or inability of the County Attorney to perform the duties of the Office.

Warren County District Attorney Jason Carusone letter designating Matthew Burin, First Assistant District Attorney, as the person who shall exercise the duties of the Warren County District Attorney in the event he is unable to perform them.

Washington County Board of Supervisors Resolution Nos. 128, *Approving the Issuance of Certain Obligation by the Counties of Warren and Washington Civic Development Corporation to Finance a Project for Silver Bay Association for Christian Conference & Training*, 137, *Approving Contract Between Adirondack Community College and its Faculty Association for Years 2017-2018 through 2019-2020*, and 138, *Authorizing Purchase of Real Property Located at 686 Bay Road in the Town*

*of Queensbury to be Held in Trust for SUNY Adirondack.*

Richard Hayes Phillips Ph.D. letter disassociating himself and the School of the Very High Mountains from any and all actions of Judson B. Witham.

Chairman Conover once again called for any comments on the Public Hearing on the proposed Tentative Budget for Adirondack Community College (SUNY Adirondack) for Fiscal Year 2017-18, and there bring none, he declared it closed at 10:40 a.m.

Supervisor Merlino remarked the paving work completed by the DPW staff this year in the Town of Lake Luzerne was the best he had seen in a number of years. In regards to the flooding in the Town of Lake Luzerne, he apprised a major entrance road was washed out on Saturday night leaving a number of residents stranded, as well as preventing ambulances or fire trucks from accessing it. He thanked the Stony Creek and Hadley DPW employees for their assistance on repairing the damage to the road, as it allowed it to be reopened rather quickly.

Chairman Conover called for public comments on the proposed Resolutions.

Travis Whitehead, *Town of Queensbury Resident*, apprised he would like to briefly discuss proposed Resolution No. 277, *Authorizing an Agreement with Bartlett, Pontiff, Stewart & Rhodes, P.C. to Represent Warren County in the Collection of Private Pay Westmount Balances Not Currently in Litigation*, and in particular how it may be addressing the wrong subject. He reminded them about Mr. Swan's remarks pertaining to how almost \$1 million in private payments had not been collected from former residents of the nursing home during the timeframe when it was County-owned. He added there was an additional \$500,000 in Medicaid payments which were not being sought after because the County felt it was not feasible for these funds to be collected. He said it was his understanding that one of the private pay claimants owed the County over \$300,000 which caused him to question how the County allowed the billing to be in arrears for such a significant amount, as this had to have occurred over a long-term period. He questioned how much of a role the overdue private payments had to do with the fact that Westmount was losing money, which was why the County chose to sell it, and if anyone would admit responsibility and provide a plan for how monies could be recouped. He remarked it was not possible to "unring a bell"; however, he noted, it was possible to acknowledge the problem and come up with a plan to fix it. He said he was hopeful this would transpire soon since a significant amount of money was involved.

Mr. Loeb asked what proposed Resolution No. 223 which was untabled pertained to and Supervisor Girard responded the title of the resolution was as follows: *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation for the Runway 1-19 Extension/phase II FAA RA - Final Design at the Floyd Bennett Memorial Airport*. Mr. Loeb thanked Mr. Girard for the explanation, as this was the resolution he was in attendance today to address. He mentioned in consideration of his remarks from earlier in the meeting, he felt compelled to apprise that he was a private pilot and environmentalist who had been following all of continued issues and discussions over the past three years since he left the Board. He informed the discussions taking place now were based upon a Master Plan that was nearly twenty years old during which time the Country, as well as the County, had changed significantly with advances in technology such as having traffic control being managed by GPS versus tower and radar control. He advised his consistent support for the Runway Extension was well documented and he continued to support it based upon the Master Plan which was written about twenty years ago. He suggested that Supervisor Girard and the other members of the County Facilities Committee look to the future rather than continue to look upon the Master Plan because as time progressed aviation changed. He continued, apprising that they should

research how the Airport here fit into the regional and State Air Transportation System from 2020 to 2060. He said it was unlikely the Airport here would ever obtain a carrier due to its close proximity to Albany International Airport but the Airport did represent an important part of the communication and transportation system and how it would mesh with the other Airports to optimize the service provided to the public and the nation through the Airport.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 256-290 were mailed; she informed that proposed Resolution Nos. 275 and 281 were amended after mailing and a motion was necessary to approve the amendment to the resolutions. The necessary motion was made by Supervisor Dickinson, seconded by Supervisor Simpson and carried unanimously. Mrs. Allen advised that proposed Resolution No. 291-297 were prepared after mailing and a motion was necessary to bring them to the floor. The necessary motion was made by Supervisor Braymer, seconded by Supervisor Dickinson and carried unanimously.

Chairman Conover called for discussion on resolutions and requests for roll call votes.

Supervisor Beaty requested a roll call vote on proposed Resolution No. 223, *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation for the Runway 1-19 Extension/phase II FAA RA - Final Design at the Floyd Bennett Memorial Airport.*

Supervisor Seeber informed she neglected to mention proposed Resolution Nos. 293, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2017*, and 294, *Establishing an On-Call Policy for Weekend and Holiday Arraignments and Authorizing Payment of Two Hundred Fifty Dollars per Day*, which related to the District Attorney's Office and she commended Mr. Carusone for his efforts to restructure the office which resulted in a savings of about \$10,000.

In regards to proposed Resolution No. 223, *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation for the Runway 1-19 Extension/phase II FAA RA - Final Design at the Floyd Bennett Memorial Airport*, Supervisor Seeber apprised she would have been more inclined to vote in favor if it just related to the Hydrology study, but similar to the County Budget, it was not an option to segment out what they were not in favor of and leave in what they were. She commented she was very much in favor of the Hydrology Study but she was opposed to the remainder of the grants which addressed the Runway Extension and that was why she would be voting in opposition of the proposed Resolution.

Supervisor Braymer echoed what Supervisor Seeber stated regarding the Hydrology Study being needed and added in light of Mr. Loeb's remarks she questioned where they stood within the overall scheme of the regional airports, as she believed it was important for them to research this. She pointed out the Airport Advisory Group was looking hard at ways the County could improve the Airport other than the Runway Extension such as maintenance services, etc, all of which she thought they should invest time in researching further.

Supervisor Beaty stated he would like to comment on proposed Resolution No. 223, *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation for the Runway 1-19 Extension/phase II FAA RA - Final Design at the Floyd Bennett Memorial Airport*, and made the general observation that the everyone concurred the Airport was exceptional but they had fundamental difference on spending up to \$10 million of the taxpayers money to extend the Runway when there was no hard data available that the County would benefit from it. He said another concern of his related to the lack of transparency of information provided to the County

Facilities Committee and Board members from the FAA (*Federal Aviation Administration*) which he planned on addressing at the next County Facilities Committee meeting. He indicated it was his understanding there was a lack of information being provided to all Board members and he believed once this information was made available to them some of the Board members may change their position on things. In conclusion, Supervisor Beaty advised he concurred with Mr. Loeb that the County would never obtain commercial air service at the Airport, as everyone with common sense was aware the Airport location was too close to Albany International Airport and they would not be able to secure funding from the Federal Government to allow small airports to offer commercial air service which was why he felt they should cease discussing it. He commented while he was in support of the Hydrology Study, as he felt it was a crucial part of the overall discussion, he would be voting in opposition of the proposed Resolution. He added a few years ago the botanist for the NYSDEC (*New York State Department of Environmental Conservation*) stated that the marl fen at the Airport was in good shape despite work at the Airport damaging part of it which was why he felt it would still be in good shape unless more work was done that would damage it.

Supervisor MacDonald apprised he would like to echo some of the same concerns his fellow Supervisors just voiced which concerned the fact that he believed the Hydrology Study was essential to understand some of the consequences that the Runway Extension would have on the environment; however, he noted, his reservations stemmed from the fact that he did not feel that it would transform the identity of the Airport. He pointed out he had voted in favor of numerous other endeavors which involved enhancing the level of quality the Airport would provide in terms of services such as updates to the infrastructure like the recent installation of a new fuel farm to improve it for the existing clientele at the Airport. He mentioned there had been a significant increase in the number of jets traveling in and out of the Airport, with a number of them using it as their home base. He added they would be discussing increasing the number of T-Hangars being constructed at the Airport which would provide additional revenue to the County through rental fees. He said he believed they were moving in the right direction in terms of the business portion of the Airport, noting the niche market they were serving there did not require the Runway Extension which was why he felt compelled to ensure everyone was aware of his stand on the Airport, as well as his reasoning behind it.

Supervisor Seeber informed the Airport Advisory Group meeting time and date had been changed to allow for more Supervisors to attend, as well as to permit a lengthier discussion and she thanked all who attended and participated in the July 18<sup>th</sup> meeting. She pointed out proposed Resolution Nos. 223, *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation for the Runway 1-19 Extension/phase II FAA RA - Final Design at the Floyd Bennett Memorial Airport*, and 290, *Authorizing Amendments to the Airport Real Property Lease Agreements with Schermerhorn Aviation, LLC for Hangar No. 5 and Hangar No. 6 at the Warren County (Floyd Bennett Memorial) Airport To Modify the Schedule "A" Map of Premises*, had not been referred over to the Airport Advisory Group for any technical advice which was the purpose of the Committee being formed, as well as to review the draft RFP concerning the FBO at the Airport. She mentioned the members of the Group, which consisted of volunteers, had requested the opportunity to review the RFP at this week's meeting but were not given that opportunity; therefore, she said, she wanted to convey upon their behalf a request to be able to do so by the August meeting. In response to anything relating to the Airport such as the Runway Extension, T-Hangars or why there was no commercial service there, Supervisor Seeber felt it was important to note individuals were seeking the correct answers, transparency and for their elected representatives to provide them with the facts which was what the Airport Advisory Group was looking for, as well. She continued, their Group would be appreciative of the referrals that could be made to them for discussion, and she pointed out they continued to make referrals to the County Facilities Committee. She apprised in light of this she wanted to ensure they were aware proposed Resolution Nos. 223 and 290 had not been discussed by the Airport Advisory Group.

Supervisor MacDonald advised he would like to add to Supervisor Seeber's comments that they had approached the topic of commercial airlines during the July 18<sup>th</sup> Airport Advisory Group meeting because it was a topic which they kept encountering. He mentioned it was determined there was a legal decision made during the late 1970's which prevented the County from receiving the essential air service funding which related to its proximity to the Albany International Airport. He added they had requested additional information about this legal decision to ensure they could better inform the public as to what the expectations should be with regards to the Airport moving forward.

Chairman Conover called for a vote on resolutions, following which Resolution Nos. 223, 256-297 were approved, as presented, with the exception of Resolution No. 263 which was withdrawn.

Chairman Conover called for public comments for anyone wishing to address the Board on any matter.

Harrison Freer, *representing the Warren County Safe & Quality Bicycling Organization*, stated that he had distributed a copy of a petition to the Supervisors which represented the growing and substantial group of citizens who would like to see bicycle and pedestrian friendly infrastructure in Warren County; *a copy of the petition is on file with the items distributed at the Board Meeting*. He thanked Supervisor Simpson and Jeffery Tennyson, *Superintendent of Public Works*, for attending their last meeting during which they discussed why biking should garner attention specifically on Routes 9 and 9L. In regards to BWI, he stated he once visited a place where it meant "biking while intoxicated" which was why the letter included with the petitions indicated they would continue to advocate amongst fellow bikers to be courteous and follow the laws to ensure the bikers did not slow people down on some of the more popular routes. He thanked the Board for their assistance with improving biking in Warren County, noting the Organizations intention was to continue to advocate for that.

Mr. Whitehead advised he would like to correct a statement that was included in yesterday's *Chronicle* which was made by Supervisor Strough where he indicated the marl fen at the Airport was in "very poor shape". He explained the determination of what shape the marl fen was in was made by a representative from the NYSDEC National Heritage Program who had been to the Airport multiple times and observed the marl fen directly. He said the most recent report that he had was dated July of 2015 indicated that the marl fen which was ranked G1 and S1. He explained this was the highest ranking for rarity globally, as well as Statewide on a scale of 1-5. He read aloud the following from the report: "G1 and S1 occurred in two patches, the first about 0.8 acres and the second about 0.2 acres about 475 meters south of the runway. No additional patches of marl fen were found in 2015 and it is unlikely that additional patches will be discovered in the future if current flooding conditions persist. The first patch is in good condition despite past human disturbances that include ditching, damming and filling in around the fen since the mid 1980's. There are a few invasive species present but characteristic marl fen species persist and dominate. The smaller second patch was flooded with over half a meter of water from May to July 2015". Mr. Whitehead stated the representative had also issued a conservation guide for the marl fen which was updated in March of this year that contained the following comments which were important: "Conservation and management threats to marl fens include development and associated run off such as agriculture, residential roads, recreational overuse by ATV's hiking trails and habitat alteration in adjacent landscapes such as mining, excessive logging and pollution. Alteration to the natural hydrology such as ditching, blocked culverts, beavers was a threat to the community type. Conservation strategies and management practices consider how water flows around and into the wetland, as most of the water inputs were from underground management. The prevention of altered water quality and quantity is particularly difficult for this natural community but also of the upmost in priority. Projects that occur near this community must consider the proximity of the development in this wetland and the potential for changing how water flows both above ground and below ground into this wetland. Consultation with a hydrologist is important to determine patterns of runoff and underground water sources for the wetland; however, the minimization of impervious surfaces that rapidly divert water to the wetland should be avoided. Rapid influxes of surface water dilute the lining

mineral rich waters, increase the robustness of the native fen species and increase the likelihood of invasion by non-native species”. Mr. Whitehead pointed out the marl fen was located less than one hundred feet off of the proposed runway extension which would be an impervious surface. He mentioned the marl fen drew its water from underground but he was unsure where and hoped it would be determined in the future. He said they needed to recognize what appeared to be a pond to most individuals was not like the ponds adjacent to it, as they originated from storm water and contained a neutral pH level. He continued, this particular body of waters pH level was highly alkaline which was why it was special with only certain plants and animals being able to thrive in its environment. He commented there were too many false statements being made regarding this which was why these facts were important.

Supervisor McDevitt informed the former Westmount Health Facility had been in the news recently regarding the last results of their performance; he noted he felt it was imperative for the Board to be aware of these results. He said fourteen months ago Warren Center took ownership of the former Westmount Health Facility during which time he talked to individuals whose relatives resided there. He advised one individual in particular who had previously praised the care his wife received when she resided there during the time frame when it was County-owned had questioned whether the Board members had lost their compassion for the most vulnerable, as supported by the low rating designation Warren Center obtained by the “Medicare and Medicaid people”. He said they obtained a rating of one, public record rated as much below average which he questioned how they got to that point and earned that designation and he added he would not be proud of this rating if he worked in the nursing home industry. He questioned how they got there and implied it could be due to the number of long-term residents who resided there that had lost too much weight, had pressure ulcers, had urinary tract infections, those who had a catheter inserted and left in their bladder, the amount of residents who were physically restrained, the amount of residents who were taking anti-anxiety or hypnotic medications, etc. He commented they were unable to “unring the bell” as it pertained to the sale of Westmount but it was imperative for them to remain on top of what was occurring there, as the residents there were friends and relatives.

Chairman Conover called for announcements.

Supervisor Frasier advised the Annual Summer Youth Awards Ceremony and Picnic was scheduled for August 16<sup>th</sup> at Crandall Park and she encouraged all to attend.

Supervisor Braymer stated that the Real Property “Last Chance” meeting was scheduled for August 14<sup>th</sup> and she encouraged those who were not members of the Environmental Concerns & Real Property Tax Services Committee to attend. She apprised she had attended the Adirondack Challenge with Governor Cuomo during which he gave a speech which included mention of the Empire State Trail which she was pleased he was keeping in the forefront of his initiatives and priorities. Supervisor Braymer advised that posters and smaller wrap cards were available which pertained to the “Stop BWI” Initiative to those who would like them, noting they were being distributed throughout the region. She said their goal was to get ahead of this to ensure they were raising awareness in an attempt to make individuals want to change their behavior in a positive manner.

Supervisor Strough apprised he had attended the Adirondack Challenge last Sunday during which he was invited to be part of the Governors flotilla for the White Water Rafting on the Indian River. He said a short time after the instructions were given on how to retrieve a bounced participant that Supervisor Leggett put those instructions to good use which he thanked him for, as he was one of the individuals who was bounced out of the raft. He advised that he and Supervisor Leggett had fun on that adventure along with Chris Debolt, *Washington County Administrator*, and Joanne Yepsen, *Mayor for the City of Saratoga Springs*.

Supervisor Seeber informed she, as well attended the Governors Adirondack Challenge during which she went fly fishing. She mentioned not only had Supervisors Braymer, Leggett and Strough attended the Adirondack Challenge, but also representatives of the Warren County Tourism Department who received the Carpe Diem Award which was accepted by Joanne Conley, *Director of Tourism*. She added she hoped after her discussion with the Governors Office that next year they would all be able to float in a raft together in the river here.

Supervisor Seeber announced prior to the August 3<sup>rd</sup> meeting of the Personnel & Finance Committee, a job description would be distributed for the County Administrator position. She said although Supervisor Geraghty was doing a good job as the Acting County Administrator, he had requested that they review the job description as it was currently written and provide comments and/or suggestions regarding it at the meeting. She mentioned their goal was to schedule interviews in October and hire someone by January of 2018.

Supervisor Beaty stated he concurred with Supervisor McDevitt that it was disheartening to see the ratings of the former Westmount Health Facility. He reminded them only five Supervisors had voted against selling the nursing home to Centers, noting he was disappointed that day in those who voted in favor of the sale. He reminded them they allowed Mr. Rosenberg to attend a Board Meeting and do what he referred to as a "Dog and Pony Show". He remarked he felt this particular presentation deceived many of the Supervisors, noting he had seen several presentations over the years in his business endeavors. He mentioned that day was a dark one for the senior citizens who were residents and now to his displeasure, what they had tried to warn the others about was coming to rouse, as the poor performance of Centers was exactly what they had predicted would occur and were afraid of. He said he hoped in the future the Board and any future members would review every issue and consider the work other Supervisors do in an honest and open manner and not repeat the mistakes made by the former County Administrator and a few select Supervisors who met secretly to determine the fate and provided inaccurate information. He repeated it was a dark day then and a dark day now for the County residents who were seniors but he hoped it would improve even though the Board had unfortunately "already washed their hands of it".

Supervisor MacDonald suggested that anyone who had not attended "Take a Bite" in downtown Glens Falls from 5-7p.m. every Wednesday until the middle of August to do so, as there was a significant amount of food, vendors and patrons who participated. He remarked it was the place to be and they should attend if they had a chance to.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Simpson and seconded by Supervisor Montesi, Chairman Conover adjourned the Board Meeting at 11:18 a.m.