

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, OCTOBER 15, 2010**

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. Frederick Monroe presiding.

Salute to the flag was led by Supervisor Strainer.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Belden, Bentley, Goodspeed, McCoy, Merlino, Stec, Strainer, VanNess, Sokol, Thomas and Geraghty - 18.

Absent: Supervisor Champagne and Town of Thurman - vacant - 2.

Motion was made by Mr. Bentley, seconded by Mr. Belden and carried unanimously, to approve the minutes of the September 17, 2010 Board Meeting and the September 29, 2010 Special Board Meeting, subject to correction by the Clerk of the Board.

Chairman Monroe recognized Dave Wick, District Manager of the Soil and Water Conservation District, who had requested to address the board. Mr. Wick explained each year he wanted to provide a presentation to the board members to keep them apprised of the activities and projects of the Soil & Water Conservation District (SWCD). He provided a power point presentation to the board, a copy of which is on file with the minutes. During the presentation, Mr. Wick outlined various projects performed by the SWCD, such as stormwater management, lake management, stream corridor, erosion control, fish and wildlife habitat, wetland, recreation area improvement, drainage, natural emergency issues and landowner assistance. Mr. Wick discussed the new SWCD Office facility, and noted it was the first modular County Office Building in New York State. He added that the project was completed at almost 10% under budget and much of the work was provided by SWCD staff, County and local Highway Departments. Mr. Wick advised that within the past ten years, the SWCD had received more than fifty competitive grants, totaling over \$3.2 million, allowing them to keep the County portion of their overall budget to less than 60%. He reminded the Supervisors that he and his staff were available to assist the towns with any problems, such as issues with the EPA (Environmental Protection Agency) or in securing permits, and he encouraged the Supervisors to contact the SWCD Office for assistance.

Chairman Monroe thanked Mr. Wick for the presentation and acknowledged that many of the projects and programs that the SWCD worked on had been a tremendous success and he commended them for their efforts. Mr. Belden expressed his appreciation to the SWCD for their help in the Town of Hague with the replacement of three culverts. Mr. Thomas added, that as Chairman of the SWCD Board of Directors, he was very proud of the quality staff in that Office. Mr. Geraghty echoed the previous statements and asserted that Mr. Wick always researched the most cost effective ways to complete a project.

Chairman Monroe stated he had an update report on the Broadband funding. He recalled that an application had been submitted through CBN Connect for a Federal Stimulus grant to develop a broadband network throughout the County, in conjunction with five other counties. Unfortunately, he said, the application was not funded and other sources of funding were now being sought.

Chairman Monroe introduced Dave Kruczlnicki, President and CEO of Glens Falls Hospital, who was present to discuss a new proposed unit at the Hospital called the Transitional Care Unit. During discussions, a draft resolution supporting the Transitional Care Unit was distributed, a copy of which is on file with the minutes. Mr. Kruczlnicki expounded that the Hospital was working on establishing a Transitional Care Unit, which would enable the Hospital to cohort a population of Medicare covered patients in a discreet, dedicated unit to accommodate their needs. He added that typically, these patients were either being discharged home or qualified for a nursing home. He further explained that a Transitional Care Unit would allow the Hospital to cohort the patients that had exceeded their payment length of stay, yet were not ready to go home, in a discreet unit in which the Hospital could tailor-make services for those patients and the Hospital would receive payment for such services from Medicare. In order to implement a Transitional Care Unit, Mr. Kruczlnicki advised that the Hospital needed to submit an application to the New York State Department of Health and he requested the support of the Board of Supervisors of said application.

Motion was made by Mr. Sokol, seconded by Mr. McDevitt and carried unanimously to endorse the application of Glens Falls Hospital to the New York State Department of Health for the establishment of a Transitional Care Unit at the Hospital. Clerk noted it would be Resolution No. 690 of 2010 for the record.

Privilege of the floor was extended to Bud York, Sheriff, who requested to address the board members. Sheriff York informed that an "Active Shooter Response" drill would be conducted on Sunday, October 17, 2010 at the Queensbury Middle School. He also announced that Brian LaFlure, Fire Coordinator, Director of the Office of Emergency Services, had been nominated by the acting Commissioner of Homeland Security Emergency Services Division to serve on the Governor's Interoperable and Emergency Communications Board. Sheriff York stated that this was a great honor and reflected that Warren County had an individual at the local level that possessed extremely wide knowledge of communications in interoperable fire, EMS and police services. He congratulated Mr. LaFlure on this prestigious nomination. The board responded with applause.

Mr. Geraghty commented that he and Supervisor Bentley serve on the Adirondack Park Local Government Review Board (APLGRB) and the Board had recently addressed the challenges faced within the Park and with dealing with the Adirondack Park Agency (APA). In response, he continued, the APA issued a stinging rebuttal targeted at Chairman Monroe, who served as Chairman of the APLGRB, and at the APLGRB itself, stating inaccuracies in

reporting. He further advised he attended a meeting in Raybrook yesterday to support Chairman Monroe and listened to personal attacks by one of the environmental groups, as well as the rebuttal from the APA Chairman. Mr. Geraghty requested to introduce a draft resolution expressing support of the APLGRB, a copy of which was distributed to the board members and is on file with the minutes.

Chairman Monroe requested to recuse himself as Chairman, and asked Supervisor Stec, Vice-Chairman of the Board, to resume Chairing the meeting. Mr. Stec recommended a motion be made to approve the draft resolution as outlined by Mr. Geraghty.

Motion was made by Mr. Bentley and seconded by Mr. Belden to express support of the APLGRB. Mr. Stec requested that it be a roll call vote in order for Chairman Monroe to abstain from the vote. Clerk added it would be resolution No. 691 of 2010 for the record.

Mr. Stec thanked Chairman Monroe for the work that he did with the APLGRB. The board responded with applause. Mr. Stec turned the meeting back over to Chairman Monroe.

Chairman Monroe referred to an additional draft resolution being distributed, and noted it was generated by NYSAC (New York State Association of Counties) and urged the State to significantly cut the unfunded mandates that caused local property tax increases before imposing a cap on local property taxes, a copy of which is on file with the minutes. He requested support of the resolution.

Motion was made by Mr. Stec, seconded by Mr. Strainer and carried unanimously to approve a resolution urging New York State to significantly cut the unfunded mandates that caused local property tax increases before imposing a cap on local property taxes. Clerk stated it would be Resolution No. 692 of 2010 for the record.

Chairman Monroe called for reports by Committee Chairmen on past activities and the following gave verbal reports:

Supervisor Stec, Finance; Supervisor Merlino, Tourism; Supervisor Goodspeed, Real Property Tax Services; Supervisor Belden, Public Works; Supervisor Kenny, County Clerk-Motor Vehicles and Occupancy Tax Coordination; Supervisor Girard, Extension Services; Supervisor Geraghty, Budget; Supervisor Thomas, County Facilities, Personnel and Social Services; Supervisor Sokol, Health Services; Supervisor VanNess, Public Safety; and Supervisor Strainer, Human Services.

Regarding the Finance Committee, Mr. Stec advised Resolution Nos. 670 through 673 were generated from the meeting and he listed them as follows: Resolution No. 670, Authorizing County Treasurer to Close Certain Capital Projects; Resolution No. 671, Increasing Capital Project No. H315.9550 280-Abatement and Demolition of Annex Building #10 and Amending Warren County Budget for 2010; Resolution No. 672, Decreasing Capital

Project No. H263.9550 280-Design and Construction of Health & Human Services Building; Authorizing Transfer of Funds and Amending Warren County Budget for 2010; and Resolution No. 673, Expressing Support for Navigational Dredging of the Hudson River/Champlain Canal. Mr. Stec referred to Resolution No. 672 and noted he believed the resolution required a correction in that the estimated total cost of the project was incorrect and Paul Dusek, County Administrator/Attorney, confirmed the amount listed as the total cost was an error. Joan Sady, Clerk of the Board, acknowledged the request for a correction to Resolution No. 672.

In connection with the Tourism Committee, Mr. Merlino apprised the Committee was informed that the Tourism Department would not be receiving matching funds from the New York State Department of Economic Development; thereby necessitating a request to decrease estimated revenues and appropriations in the amount of \$72,000, as was reflected in Resolution No. 632 in the packets. He noted the Committee had approved the submission of a new application for matching funds, which was outlined in Resolution No. 681.

Concerning the Real Property Tax Services Committee, Mr. Goodspeed informed the Committee reviewed the corrections to the tax rolls which was detailed in Resolution No. 633 in the packets. He added that Mike Swan, Director of Real Property Tax Services, provided an update on the upcoming land auction which was scheduled for October 16, 2010 at 10:00 a.m. and there were twenty-nine parcels listed for the auction. He added that Mr. Swan continued to meet with Assessors throughout the County to determine the possibility of implementing County-wide assessments.

With regard to the Public Works Committee, Mr. Belden stated that under the Airport portion of the meeting, discussions were held relative to the recent Balloon Festival and it was estimated that over 100,000 people attended the three-day event. He noted that overtime was not included in the departmental budget for the event and a meeting would be held with the representatives of the Balloon Festival to determine if admission should be charged for the event. Under the Parks, Recreation & Railroad portion of the meeting, he said, the Committee revisited the matter of constructing a platform at the 1,000 Acres Ranch in the Town of Stony Creek. He asked Mr. Dusek if he had any additional information regarding the proposed platform. Mr. Dusek informed that the property owner wanted the ability to be released from the easement at some point in the future; however, he added, the grant requirements included a permanent easement that was not revokable. Therefore, Mr. Dusek remarked he was not confident the State would ever agree to a revokable easement and he did not foresee this progressing. Mr. Belden announced the RFP (Request for Proposal) for the railroad operator had a deadline date of October 27, 2010 and responses had been received. He referred to the pursuit of selling the County-owned Fairgrounds and questioned the status to which Mr. Dusek replied the County had tried to obtain special State legislation which was not approved and his staff was currently researching whether or not they could proceed without State approval. Mr. Belden reported that Resolution No. 638 in the packets

authorized the distribution of remaining unallocated sewer grant funds to the Town of Bolton. The remainder of the Public Works Committee meeting, he said, consisted mainly of housekeeping issues.

Mr. Goodspeed mentioned concerns amongst the business community in Town of Johnsbury pertaining to the timing issues associated with the RFP for the railroad and he questioned the projected time line and Mr. Dusek responded the responses received to the RFP would be opened on October 27, 2010 and the current contract would expire on December 31, 2010. He added special meetings would most likely be needed to finalize the process of contracting with a new railroad operator.

Relative to the County Clerk-Motor Vehicles Committee, Mr. Kenny advised the Committee reviewed the request to fill the vacant position of Motor Vehicle License Registration Clerk due to resignation and forwarded the request to the Personnel Committee for approval. He noted the Committee authorized the submission of a grant application to the Local Government Records Management Improvement Fund of New York State Archives and Records Administration/New York State Education Department for 2011-2012, which was reflected in Resolution No. 652. He stated applications had been received for the position of County Historian and were being reviewed. Mr. Kenny discussed an inquiry from The Post Star regarding the photographing of public documents and advised the County Attorney's Office was reviewing the matter.

In connection with the Occupancy Tax Coordination Committee, Mr. Kenny reported that Resolution No. 675 in the packets was resultant of the meeting and authorized an agreement with the City of Glens Falls for the purchase, maintenance and use of two video screens for the inside of the Civic Center, as well as the use of the exterior electronic billboard, for an amount of \$50,000 for three years. He acknowledged Jack Diamond, the Mayor of the City of Glens Falls, was present if there were any questions about the agreement. Mayor Diamond added that free promotion would be available to the townships in the County on the video screens and on the billboard located outside of the Civic Center. He further discussed the importance of hockey to the area. Continuing, Mr. Kenny said the Treasurer had announced that occupancy tax collections had increased 11%, or \$241,780, to date compared to 2009. He asserted the Committee had approved extending the agreement with the Lake George Regional Chamber of Commerce for the Sales/Special Events Coordinator; however, he noted, subsequent to the meeting it was determined that an RFP was necessary to obtain those services.

Mr. Taylor expounded although he did not have a report to provide, he opined that there seemed to be fewer and shorter committee meetings and he attributed that to Mr. Dusek being the County Administrator and handling matters before they reached the committee level. Chairman Monroe echoed Mr. Taylor's statements and added that the board members appreciated all the work Mr. Dusek had done. Mr. Dusek acknowledged the

comments and said that it was due to the fine individuals that he worked with and the great cooperation that he received.

Mr. McDevitt reminded the board members that the Warren County Safe and Quality Bicycling Citizens Committee had been formed for safe biking and the extension of bike paths in the County. He apprised the Committee needed at least one member from each town and community in the County, and noted that Queensbury and the City of Glens Falls were well represented. He also informed that the Red Cross was hosting a blood drive today at the Municipal Center and encouraged all to donate.

With regard to Extension Services, Mr. Girard reported the Cornell Cooperative Extension (CCE) Annual Meeting would be held on October 28, 2010 at 7:00 p.m. at the Fort William Henry. He noted that the CCE Board of Directors was searching for new Board members and he requested the Supervisors to contact CCE if they had any nominations for potential candidates.

Mr. Conover reported that the New York State Department of Environmental Conservation (NYS DEC) had reversed their decision and would continue to pick-up garbage from the Lake George Islands next year. He thanked the board members for their unanimous support of this reversal, as well as Senator Little and Assemblywoman Sayward for their assistance and leadership with this issue.

Relative to the Budget Committee, Mr. Geraghty asserted the Budget Team continued to meet and the Department Heads had been very cooperative and helpful. He remarked that sales tax revenues had decreased 3.2%. He noted that he hoped to have more information on the 2011 County budget to share next week.

Concerning the County Facilities Committee, Mr. Thomas expounded Resolution No. 639 in the packets authorized an agreement with Schindler Elevator Corporation to extend the one year warranty for the elevator in the Human Services Building. He stated an update was provided on the demolition of the former Department of Social Services (DSS) Building. He added the Committee approved a request to close two Capital Projects, No. H281.9550 280- Municipal Center Jail Study and No. H289.9550 280- Old Jail Renovations, and forwarded the same to the Finance Committee. Mr. Thomas said discussions were held pertaining to a proposal to construct a storage building to store emergency response equipment and vehicles and those discussions would continue.

Regarding the Personnel Committee, Mr. Thomas advised Resolution Nos. 665 through 669 were generated from the meeting, the majority of which authorized the filling of vacant positions within various departments. Resolution No. 689, he mentioned, approved and adopted a County Time Clock Policy and Procedure for the time and attendance system. Mr. Thomas added that a list of exempt employees was attached to the Policy. He noted that the

Committee discussed policies that related to sick and vacation time and requested Mr. Dusek research the possibility of changing the date of accrual of vacation time from January 1st to the anniversary date of hire.

In connection with the Social Services Committee, Mr. Thomas remarked that the Committee approved various requests to attend meetings or conventions, as well as an Out-of-State travel request to transport a foster family to Maryland for medical testing. He asserted Resolution No. 643 included in the packets, authorized the submission of a grant application to the New York State Office of Temporary and Disability Assistance for a homeless housing grant.

Pertaining to the Health Services Committee, Mr. Sokol informed under the Westmount Health Facility portion of the meeting, the Committee reviewed and accepted the Year Five Annual Guaranteed Savings Report from Siemens Building Technologies, Inc. and the details were reflected in Resolution No. 644 in the Supervisors packets. He stated Resolution No. 645 authorized a room rate increase at Westmount Health Facility to \$288 per day, which was a competitive rate with other local facilities. He announced the new Director of Nursing for the Facility had been hired and she had ten years of experience. Mr. Sokol apprised during the Health Services portion of the meeting, discussions were held concerning the Corporate Compliance Policy and he anticipated the Policy would be adopted next month.

With regard to the Public Safety Committee, Mr. VanNess reported the Glens Falls Hospital donated their mammography van to the County for the purpose of converting it into a command center. He recalled that a grant was awarded to the County a few years ago in the amount of \$100,000 for the purchase of a command center vehicle, and said funds would be used to install the proper equipment for the vehicle. He thanked Glens Falls Hospital again for their great generosity. The board members responded with applause. Mr. VanNess informed that the Committee authorized two employees in the Sheriff's Office to attend training in Pennsylvania and the details were outlined in Resolution No. 656 in the packets. He referred to Resolution No. 665 which authorized the filling of the vacant position of Patrol Officer #36. He explained that the base salary had been changed due to the number of years of experience the selected individual had, as well as the necessary certifications. Under the Fire Prevention & Building Code Enforcement portion of the meeting, Mr. VanNess said discussions were held concerning fire investigations and the possibility of sharing services for the clerical work in that office with the Planning & Community Development Department. He expounded that the grant application for the Emergency Training Center in the amount of \$400,000 had been denied and he suspected that the other \$400,000 grant that had previously been awarded to the County would most likely need to be returned.

Concerning the Human Services Committee, Mr. Strainer reported that the new Director of the Employment & Training Administration had settled in to the position and was doing a great job.

Chairman Monroe noted the next item on the Agenda was a report from the County Administrator. Mr. Dusek advised that the Finance Committee had addressed a concern regarding State funding being eliminated for the Office for the Aging Point of Entry program. He remarked that there was adequate funding to provide the program for the remainder of the year and it would be continuously monitored; if there were any changes in funding in the future, he added, decisions would be made at that time.

Mr. Dusek commented that an additional matter for discussion pertained to the County's health insurance. He reiterated that the County offered the Medicare Advantage Plan Program to retirees over age of 65 and last year the program was offered with low co-pays; however, he continued, this year the co-pays would need to be increased in order to keep the cost to the County minimal. He recommended the co-pays be increased as follows: CDPHP, 5-25-40; Blue Shield, 5-25-40; and MVP, 10-30-60.

Motion was made by Mr. Goodspeed, seconded by Mr. Conover and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk noted it would be Resolution No. 693 of 2010 for the record.

Motion was made by Mr. Thomas, seconded by Mr. Belden and carried unanimously to approve an increase in co-pays for retirees for all three Medicare Health Insurance Plans as outlined above. Clerk added it would be Resolution No. 694 of 2010 for the record.

Chairman Monroe called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren/Washington Counties IDA;
Warren County Planning Board.

Monthly Reports from:

Weights & Measures;
Veterinarian.

Capital District Regional Off-Track Betting Corporation, August Surcharge in the amount of \$18,593 and June 30 and July 31 Financial Reports;

New York State Department of Civil Service, Second Quarter 2010 Empire Plan Experience Report;

Warren County Fire Advisory Board, correspondence outlining concerns regarding enforcement of New York State Uniform Fire Prevention & Building Code, copies of which were provided to Supervisors;

Bonadio & Company, LLP, State Transportation Assistance Expenditures Audit for period ending 12/31/09;

Secretary of Warren County Republican Party, Certificate of Recommendation for Mary Beth Casey, Commissioner of Elections, for a term from January 1, 2011 through December 31, 2014;

Secretary of Warren County Democratic Party, Certificate of Recommendation for William A. Montfort, Commissioner of Elections, for a term from January 1, 2011 through December 31, 2014;

Communications, resolutions and reports ordered placed on file.

Chairman Monroe called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 632 through 678 were mailed. She noted the resolutions relating to the filling of vacant positions were Resolution Nos. 659 through 666, and unless a roll call vote was requested on a particular resolution, all would be approved in the collective vote. She added Resolution No. 665 was mailed and has been corrected to reflect the accurate base salary for Patrol Officer #36 and a motion was needed to approve Resolution No. 665 as corrected.

Motion was made by Mr. Girard, seconded by Mr. Bentley and carried unanimously to approve Resolution No. 665 as corrected.

Mrs. Sady announced a motion was needed to bring Resolution Nos. 631 and 679 through 689 to the floor. Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously to bring Resolution Nos. 631 and 679 through 689 to the floor.

Chairman Monroe requested a roll call vote on Resolution No. 691, Expressing Support of the Adirondack Park Local Government Review Board.

Mr. Kenny referred to Resolution No. 689, Approving and Adopting County Time Clock Policy and Procedure for the Time and Attendance System, and noted the attached list of exempt employees was very lengthy. He opined this should be tabled and referred back to the Personnel Committee to reduce the number of exempt employees listed.

Motion was made by Mr. Kenny, seconded by Mr. Sokol and carried unanimously to table Resolution No. 689, Approving and Adopting County Time Clock Policy and Procedure for the Time and Attendance System, and refer it back to the Personnel Committee for further discussions.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 631 through 694 were approved, with the exception of Resolution No. 689, Approving and Adopting County Time Clock Policy and Procedure for the Time and Attendance System, which was tabled. Report of Committee on Assessment Rolls and Certificate of Appointment, Saratoga-Warren-Washington Counties Workforce Investment Board were submitted.

Privilege of the floor was extended to Fred Austin, former County employee, who posed a question to be answered in the future of whether or not retirees would be receiving a W-2 form that reflected the County contribution for health insurance as a salary, on which taxes would have to be paid.

Mayor Diamond thanked the Board of Supervisors again for their ongoing commitment to the Glens Falls Civic Center.

Mr. Dusek requested an executive session to discuss two matters in litigation. Motion was made by Mr. Sokol, seconded by Mr. Bentley and carried unanimously that executive session be declared pursuant to Section 105 (d) of the Public Officers Law.

Executive session was declared from 11:45 a.m. to 12:04 p.m.

The board reconvened and Chairman Monroe announced no action was necessary pursuant to the executive session.

There being no further business, on motion by Mr. Belden and seconded by Mr. Bentley, Chairman Monroe adjourned the meeting at 12:05 p.m.