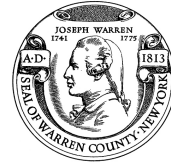


# Warren County Board of Supervisors

**BOARD MEETING  
FRIDAY, SEPTEMBER 18, 2015**



The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Simpson.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Brock, Kenny, Simpson, Vanselow, Dickinson, Merlino, Strough, Seeber, Sokol, Beaty, Westcott, Thomas, Wood and Geraghty - 19; Supervisor Frasier-Absent - 1.

Motion was made by Supervisor Wood, seconded by Supervisor Simpson and carried unanimously to approve the minutes of the August 21, 2015 Board Meeting, subject to correction by the Clerk of the Board.

Commencing the Agenda review, Chairman Geraghty declared the Public Hearing open on proposed Local Law No. 7 of 2015, entitled "A Local Law Relating to the Codification of previously enacted Warren County Local Laws in the Warren County Municipal Code" at 10:0 a.m. and he asked Amanda Allen, Clerk of the Board, to read aloud the Notice of Public Hearing aloud, which she proceeded to do.

Chairman Geraghty offered privilege of the floor to anyone wishing to speak on proposed Local Law No. 7 of 2015. Chairman Geraghty requested that Amy Bartlett, *First Assistant County Attorney*, provide an overview of the Local Law. Ms. Bartlett apprised that the Codification consisted of a compilation of previously enacted Local Laws that had already been through the Public Hearing process. She stated the main purpose of the Codification was to have a compilation of all Local Laws in one place so that they were readily accessible to all the Department Heads and their staff. Chairman Geraghty questioned whether it was similar to the Code Book that each Town had and Ms. Bartlett replied affirmatively. Chairman Geraghty advised the Public Hearing would remain open for a few more minutes in case anyone from the public wished to comment.

Resuming the Agenda review, Chairman Geraghty extended privilege of the floor to Curt Austin, *of the Upper Hudson Rail Trail*, who wished to address the Board relative to the Rail to Trail Alternative for the First Wilderness Heritage Corridor. He reminded the Board the First Wilderness Heritage Corridor was a concept that was developed to support all the towns surrounding the upper Hudson River and the railroad. He stated that Wayne LaMothe, *County Planner*, and his staff came up with this idea, which he felt had been very beneficial for the County. As an example, he said, the bandstand located in Warrensburg, New York was being renovated by funds that originated from the First Wilderness Heritage Corridor. He pointed out the weakness in the plan related to the fact that the railroad, which was the centerpiece attraction to the Corridor, was not doing well. He advised the railroad's future was in doubt because they were losing money. He added the railroad had brought about controversy to the area that a tourist destination such as this did not welcome. He continued, another weakness related to the fact that only a few businesses located along Main Street in the Town of North Creek were benefitting financially from the railroad service rather than all the businesses in the Towns located

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within the Corridor such as those in Thurman and Chester which thus far had seen no additional business from it. He reported he was present with good news, as there had always been a good alternative to the railroad as the centerpiece for the First Wilderness Heritage Corridor. He explained this option was a Rail Trail, which was a multi-use trail that could be used for biking, hiking and snowmobiling. He advised he had distributed a flyer to the members of the Board so they could refer to it in regards to the benefits of having a rail trail within the First Wilderness Heritage Corridor; *a copy of which was on file with the items distributed at the Board Meeting.* He outlined some of the key points contained in the flyer as follows:

- 1) The chart included in the flyer displayed the current usage of the railroad as well as the usage of the Adirondack Scenic Railroad in Lake Placid that the State decided to cease operating as compared to the usage of similar rail trails located in rural areas similar to Warren County throughout the Country. He noted as depicted in the chart there were far more users of rail trails of this sort than that of the 2 railroads.
- 2) Restores the 88 miles of snowmobile trails that were lost due to the railroad. He apprised the Snowmobile Association had indicated to him their desire to reacquire these trails for their use; and
- 3) After discussing with business owners located along the Corridor he believed the Supervisors would get an idea that they, as well as the citizens of Warren County would prefer a rail trail over the railroad.

Mr. Austin introduced Lloyd Mott, *Chairman of the Warren County Safe & Quality Bicycling Association.* Mr. Mott thanked the Supervisors for their continued support of his organization. He said he felt they had a history of working well with the Department of Public Works, the Tourism Department and the Parks, Recreation and Railroad Department, as well as the Planning & Community Development Department. He apprised that the benefits his organization has realized due to exposure for bicycling in Warren County had been nationwide due to the expositions that a number of their representatives including the Tourism Department attend. He remarked since they were a bicycling organization they were fully supportive of Mr. Austin's proposal. He apprised that his organization's Board of Directors had unanimously voted to support Mr. Austin's concept for the Corridor. He read aloud a draft letter he had written representing his position solely on the matter and not that of his Board. He highlighted the following statements from his letter:

- 1) As Mr. Austin mentioned by Mr, Austin there appeared to be several concerns with the weaknesses of the present situation with the railroad of which he would not go into detail.
- 2) The controversy regarding the tank cars to him highlighted his concern that they were not aware of the true interest of the railroad company and whether they were truly concerned with what was in the best interest of Warren County and the Adirondack Park. He remarked that this did not appear to be the case;
- 3) He advised that he had a fondness for railroads, as he had many family members that had worked for railroads for a number of years. He commented he found great pleasure in traveling on trains. He noted he was fully supportive of the use of railroads for alternative transportation when there was a demonstrated need for it and when such could be implemented in a financially self-sustaining and non-burdensome manner. He remarked he was concerned that a number of the small tourism railroads were no longer providing financial assistance to the regions they were located in. He stated he felt this needed to be reviewed further.
- 4) He suggested the Supervisors perform a google search regarding Rails to Trails, as it would assist them in determining that there were many examples similar to the one included in the packet Mr. Austin distributed that provided extensive benefits to the communities they were located in. He pointed out he had been unable to locate a Rails to

Trails system that had not provided benefits to the communities they were located in. He pointed out bicyclers such as himself were known to patronize the businesses located along the trails they were using. He apprised there was a program in the City of Schenectady, New York which provided data supporting the indications that bicyclers brought business. He pointed out states such as Colorado, Oregon, Maine and Maryland were all realizing benefits from trails such as the one proposed by Mr. Austin.

- 5) He emphasized that their organization wanted what was best for this County, as well as the region. He remarked they felt an alternative all-purpose trail including bicycles, snowmobiles, etc. used year round every day of the week could be a great advantage they hoped the County would consider researching further as an alternative to the railroad. He suggested an objective study be conducted comparing the benefits of the railroad versus the Rail Trail, as they felt strongly the results would favor the multi-purpose trail.

Mr. Austin advised that he hoped they would keep his proposal in mind as the railroad situation unfolded. He said he would return in a few months with some additional information, as they were in the process of compiling information they felt the Board needed to make an informed decision on the matter.

Supervisor Kenny stated he had made a similar proposal to the Board in the past which was rejected at the time. He informed that the information contained in Mr. Austin's proposal included notations about the success of a Rail Trail located in Greenville, South Carolina. He stated that this particular trail had over 500,000 visitors a year, which was more than the railroad in Warren County would have over a 10 year span. He strongly encouraged Mr. Austin to remain persistent in requesting that the Board move forward with his proposal.

Supervisor Beaty asked whether Mr. Austin was implying that the County would benefit financially, environmentally by moving forward with the proposal, as well as providing a better representation of the Adirondacks, to which Mr. Austin replied affirmatively. Supervisor Seeber informed she was under the impression no revenue was received from the railroad and it appeared the Rail Trail would increase tourism to generate additional revenue for the County. Chairman Geraghty advised that they did receive revenue from the railroad under the contract for the use of the tracks but he was unsure of the exact amount. He added he could not comment on the residual impact of the railroad, as he was unaware of what it was. Mr. Austin interjected that according to the contract with the railroad they were required to pay the County \$80,000 a year for the use of its tracks. He said this money was put into escrow to be used for large maintenance items such as constructing a new bridge; therefore, he stated, it was not really a revenue source for the County. Paul Dusek, *County Administrator*, reported that a certain percentage of the fees collected by the railroad for ticket sales was allocated to the County; however, he said, he could not recall what it was. He informed this could be provided during the review of the Parks, Recreation & Railroad Budget, as this revenue was included therein. Supervisor Seeber queried whether the contract would be emailed to the Supervisors for review so they could have a better understanding of the contract and Mr. Dusek replied affirmatively.

Mr. Austin suggested the County request that the railroad resolve their ownership issues with the Tahawus extension of the tracks during the negotiation process with them. He remarked this issue could pose potential issues for the County in the future if it was not resolved. Chairman Geraghty advised that contract negotiations with the railroad company would commence during the summer of next year.

Supervisor Brock inquired whether the County had the option of terminating the contract without any ramifications if they decided to move forward with the Rail Trail. Mr. Dusek recommended that this

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discussion take place during a Committee Meeting where the County Attorney would review the contract with them. He mentioned he was concerned misinformation could be put out if they were to have an informal discussion without the County Attorney being present.

Chairman Geraghty once again called for any comments on the Public Hearing, and there being none, he declared it closed at 10:17 a.m.

Continuing with the Agenda review, Chairman Geraghty provided the report by the Chairman of the Board, reading aloud the listing of meetings he had attended since the August Board Meeting; *a copy of the Chairman's Report is on file with the items distributed at the Board Meeting.*

Chairman Geraghty presented Mary Gallagher, *County Auditor*, with a certificate of appreciation for her 10 years of service to Warren County. He advised that Ms. Gallagher had made many improvements to the department during her tenure. He noted she would be missed but wished her well in her retirement and thanked her for her years of service on behalf of the Board. A round of applause was given.

Before continuing the Agenda review, Chairman Geraghty recognized Natasha Corcoran for her 30 years of service to the Probation Department and Julianna Pearl for her 20 years of service to the Department of Social Services. Additionally, Chairman Geraghty recognized Terry Comeau for his 25 years of Service with the Sheriff's Office. A round of applause was given.

Chairman Geraghty then called for reports from Supervisors on the past month's meetings or activities.

Supervisor Simpson reported that the Social Services Committee met on August 28<sup>th</sup>, wherein a lengthy discussion took place regarding the position of part-time Assistant Social Services Attorney. He reported after two failed attempts at posting the part-time position they had been unable to attract anyone applicants; therefore, he said, they determined the best course of action would be to change the position to full-time. He apprised they forwarded this recommendation on to the Personnel Committee for further review. He added they had also forwarded on to the Personnel Committee their recommendation to fill the vacant position of Social Welfare Examiner #41, *Grade 8, annual salary of \$31,452*, in the Temporary Assistance Unit. He stated they had also approved a request for Cynthia Schrock Seeley, *Deputy Commissioner/Chief Legal Counsel for the Department of Social Services*, to attend the Interstate Substance Abuse Convening in Burlington, Vermont on October 29-30, 2015 as outlined in proposed Resolution No. 422, as well as a request for Linda Morgan, *Social Welfare Examiner*, to enroll in job related courses at SUNY (*State University of New York*) Adirondack as referenced by proposed Resolution No. 455.

Supervisor Vanselow stated the Support Services Committee had met on September 2<sup>nd</sup>, approving proposed Resolution Nos. 426, *Amending Contract with Time Warner Cable to Increase Internet Bandwidth from 10MB to 50MB and Reduce Monthly Cost to the Information Technology Department*, and 427, *Authorizing Agreement with Time Warner Cable to Provide Site to Site Connection from the Municipal Center to the DPW Administration Building in Warrensburg, to Increase Internet Bandwidth from 1.5MB to 10MB and Reduce Monthly Cost to Warren County*, for the Information Technology Department.

Supervisor Dickinson advised that he had met with the Budget Team to review the budgets of the Probation, Public Defender and Assigned Counsel Departments. He attributed the ease of the meeting to the fact that each Department had come to the meeting well prepared. Supervisor Dickinson stated the Criminal Justice Committee had met on August 31<sup>st</sup>, wherein they discussed a vacant position within the Probation Department and approved a request for Robert Iusi, *Probation Director*, to attend

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the NY-VT Opioid Conference in Burlington, Vermont October 29-30, 2015. In regards to the Public Defender's Office, Supervisor Dickinson apprised that they had referred to the Finance Committee a request to amend the County Budget in the amount of \$2,522 to remove funds from Distribution #4 from the Office of Indigent Legal Services that should have been designated for the Assigned Counsel Office, rather than the Public Defender's Office, as well as a request for transfer of funds from Budget Code A. 1171 2015, *Office Equipment*, to Budget Code A. 1171 210, *Furniture*, in the amount of \$2,696 to purchase office furniture. Supervisor Dickinson informed Supervisor Monroe's absence he served as the Vice-Chairman at the September 1<sup>st</sup> meeting of the Real Property Tax Services Committee wherein they approved a request for Lexie Delurey, *Director of Real Property Tax Services*, to attend the New York State Association of County Directors Fall Conference in Vernon, New York on October 19-21, 2015. He stated Ms. Delurey provided an update on the County Foreclosure Auction, noting that the number of properties included in the auction had been reduced from 35 parcels to around 20. He added they had approved Phase I Environmental Testing with Clark Patterson Lee, as well as an appropriation from the Environmental Testing Reserve Fund in the amount of \$2000 for Warrensburg Tax Map Parcel #211.13-3-3, which the County had taken temporary ownership of.

Supervisor Merlino stated that the Public Works Committee had met on August 31<sup>st</sup>, approving proposed Resolution No. 444, *Authorizing Renewal of Agreements with Various Municipalities for Roadway Maintenance and to Include New Category for Equipment Improvement*. He commended Jeffery Tennyson, *Superintendent for the Department of Public Works*, for coming up with the idea of providing the Towns with additional funding to assist them with modernizing their plow trucks by installing equipment that would regulate the amount of salt spread on the roads which reduced salt usage. He remarked he felt this was a good alternative to utilize rather than paying the Towns additional money for the increased salt usage, as it was more environmentally friendly.

In regards to the Tourism Committee, Supervisor Merlino indicated the next meeting was scheduled for September 24<sup>th</sup>. He pointed out proposed Resolution No. 446, *Authorizing Agreement with Benchmark Printing Inc. For the Printing of the 2015-2016 Winter Events Brochure for the Tourism Department*, had been approved through the out-of-Committee process. He advised that a Fam Tour had commenced on Sunday, September 13<sup>th</sup>. He explained this was a familiarity tour for Tour Operators, which 41 operators had attended. He stated tours of the majority of the County had taken place on Monday and Tuesday of this week. He said they spent Wednesday at the Saratoga Springs City Center in Saratoga, New York which 60-80 additional event operators had attended. Supervisor Merlino noted that ABC News Channel 10 had attended this mornings balloon launch which had taken place at Crandall Park in the City of Glens Falls. He apprised they would be returning this evening to attend the balloon launch taking place at the Airport.

Chairman Geraghty asked for the date of the Salt Conference taking place at the Sagamore Resort in Bolton Landing and Supervisor Monroe replied that it was scheduled for September 28<sup>th</sup>.

Supervisor Strough informed he had nothing to report on.

Supervisor Seeber advised that she would like to call to the attention to proposed Resolution No. 445, *Supporting the Adirondack Community College Capital Improvement Plan for 2016-17*. She informed that this resolution was discussed at the Joint Meeting of the Community College and Finance Committees on September 2<sup>nd</sup>, as well as discussion regarding whether other possible funding options existed to fund the College's NSTEM (*Nursing, Science, Technology, Engineering and Math*) Building. She encouraged anyone who could to attend the College's Presidents Reception taking place at 3:30 p.m.

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Supervisor Seeber informed she had met with the owner of Look TV on two separate occasions this month. She remarked she was pleased they televised the Board Meetings every month which assisted the County with being more transparent, as it provided the County residents with the ability to watch the meetings. She indicated she was pleased with the fact that residents had the opportunity to watch Committee Meetings on YouTube and the Board Meetings on YouTube or on Look TV. She advised that the representatives from LOOK TV indicated they were not fully funded, as they did not have sponsors who covered all of the costs associated with televising the Board Meetings. She said Look TV was seeking some additional sponsors. She thanked them for donating their time and service to the County to televise the meetings, as she felt it was a great community service. Supervisor Seeber commented that she was looking forward to volunteering at the Balloon Festival this weekend. She acknowledged the County employees and Supervisors who volunteered at the event.

Supervisor Sokol reported that the Health Services Committee had met on September 1<sup>st</sup>, approving proposed Resolution Nos. 440-442. He advised that they had approved a request to fill the vacant position of a Registered Professional Nurse, *Grade 19, annual base salary of \$42,719*, due to resignation. In regards to business associated with Westmount Health Facility, Supervisor Sokol apprised that they approved a request to amend Resolution No. 307 of 2013 to allow all to be assigned the appropriate step increases based on experience, as well as a request to amend Resolution No. 328 of 2015 to correct the salary of the Minimum Data Set (MDS) Coordinator position to include two years of 2% salary increases. He noted the salary change would only impact six or seven positions. Supervisor Sokol informed that immediately following an executive session the Committee approved a settlement in the case of Warren County versus Brown which would require payment of \$20,000 to be paid within ten days. In reference to the sale of the Westmount Health Facility, Supervisor Sokol indicated there would be a team of officials from Warren County traveling next Thursday to the meeting of the NYSDOH (*New York State Department of Health*) Health Planning Council/Committees of the Public Health wherein the sale would be discussed. He advised that the Certificate of Need was required from the NYSDOH in order for the sale to be finalized. He noted it had just been brought to his attention this morning there would be a change in ownership of the facility from Kenneth Rosenberg to David Greenberg. He stated Mr. Dusek would provide a report on the meeting at the September 25<sup>th</sup> Meeting of the Health Services Committee. Concluding his report, Supervisor Sokol apprised he felt his meeting with the Budget Team on September 9<sup>th</sup> to discuss the Budgets of the Public Health and Office of Community Services went well because to the departments being so well prepared for the meeting.

Supervisor Beaty inquired whether this was the appropriate time to request that the resolution tabled last month, which was introduced by himself and Supervisor McDevitt, be reintroduced and Chairman Geraghty responded it could be introduced during the discussion on resolutions. Supervisor Beaty remarked that he concurred with Supervisor Seeber regarding the transparency Look TV provided by televising the Board Meetings. He said that Supervisor Westcott had been diligent in securing private funding to pay for televising the meetings on Look TV. He welcomed any funding from the private sector to ensure the continued televised coverage of the meetings. Supervisor Beaty questioned when the appropriate time to discuss the updates on the Siemens contract was and Chairman Geraghty replied that this was a fitting time to discuss this matter. Supervisor Beaty asked whether the Supervisors could be provided with a copy of the report from the Sheriff's Office concerning their investigation into the Siemens contract alleged criminal activity. Ms. Bartlett advised it was necessary for her to discuss the matter with Martin Auffredou, *County Attorney*, as well as the Sheriff prior to making a determination as to whether this report could be released. Supervisor Beaty remarked he felt the Supervisors were entitled to receive copies of this report to which Ms. Bartlett replied while she understood Supervisor Beaty's request, she needed to converse with Mr. Auffredou before a definitive determination could be made.

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Supervisor Westcott advised he felt it was pertinent to bring to everyone's attention his church, the First Presbyterian Church of Glens Falls, would be hosting a forum on opiate and heroin addiction featuring a presentation by Kate Hogan, *District Attorney*, on Sunday, September 27<sup>th</sup> from 6-8 p.m. He requested that the Supervisors promote the event, as he would like to see a significant number in attendance at this important event. Supervisor Westcott requested that Supervisor Sokol respectfully consider changing the date of the Health Services Committee Meeting from September 25<sup>th</sup> to prior to the September 24<sup>th</sup> Meeting of the NYSDOH Health Planning Council/Committees of the Public Health. He explained it was necessary for the Committee to be provided an update on the change in purchaser of Westmount prior to the meeting with the NYSDOH place. He pointed out if the Committee Meeting date was not changed the meeting with the NYSDOH would have already taken place. He remarked since they had all just been advised of the new ownership scenario this morning that Supervisor Sokol consider moving the Health Services Committee Meeting to a date earlier in the week.

Supervisor Thomas stated that the Budget Team had met with all the Departments and would be meeting with some of them again to follow up on some things. He said there were still a number of decisions to be made concerning the budgets. He noted today was the due date for the individual departments to have their budgets on file with the Clerk of the Board's Office. In regards to next month's Committee Meeting schedule, Supervisor Thomas apprised that each individual department would be reviewing their budgets with their respective Committees. He mentioned this would provide individuals with the opportunity to review each budget and ask questions or voice any concerns they may have with them.

Supervisor Wood apprised the Public Safety Committee had last met on August 31<sup>st</sup>, approving proposed Resolution Nos. 435-438. She stated that proposed Resolution No. 449, *Authorizing Agreement with Washington-Saratoga-Warren-Hamilton-Essex BOCES for No Cost Tree Cutting and Removal at Warren-Washington Emergency Services Training Center Property*, had been approved through the Out-of-Committee process. She encouraged everyone to support the resolution, as there would be no cost to the County and it would be beneficial to the individuals enrolled in the logging program offered through Washington-Saratoga-Warren-Hamilton-Essex BOCES. She added proposed Resolution No. 450, *Authorizing Agreement with Tetra Tech, Inc. to Provide Warren County with the Necessary Services for the Wireless Systems Drive Testing to Collect Data and Determine Actual Coverage on the AT&T and Verizon Networks for the Office of Emergency Services*, was also approved through the out-of-Committee process. She explained that Tetra Tech would be reviewing the wireless coverage for AT&T and Verizon to determine the exact locations where coverage was available within the County. She noted this would assist them with the ongoing communication issues within the County. She reminded the Supervisors to distribute the Warren County Hazard Mitigation Plan Update flyers that were provided, as she was encouraging participation with this. She suggested anyone with questions concerning this contact Amy Hirsch, *Emergency Services Coordinator*, for assistance. Supervisor Wood reported there would be a Family Emergency Planning event taking place on September 24<sup>th</sup> for families located within the County. She stated anyone wishing to participate would be welcomed. She reminded the Supervisors of the Municipalities within Warren County they were required to have a representative attend the September 22<sup>nd</sup> meeting regarding the County-wide Hazard Mitigation Plan. She pointed out Supervisors could send an employee from their Town to attend the meeting, and she mentioned she was aware that a number of Supervisors would be attending the annual Fall Conference for NYSAC (*New York State Association of Counties*).

Supervisor Wood informed that the Essex County Board of Supervisors had passed a resolution seeking assistance from New York State with regards to the State Tax Cap which was referred to the Adirondack Association of Towns and Villages. She stated she had discussed the matter briefly with Supervisor Simpson yesterday, as they were hoping to adopt a similar resolution at today's Board Meeting.

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Supervisor Simpson advised that following his discussion with Supervisor Monroe this morning he felt the matter should be discussed at the next meeting of the Legislative & Rules Committee. Supervisor Monroe remarked he believed they were all agreeable to the concept of the resolution; however, he noted, there were a few items included in the resolution they may want to revise to cater more towards Warren County's situation. He apprised one of the items he would like to discuss was rather than having the tax cap be lower than the rate that the State raised taxes during the prior year, maybe they should include something about imposing a State Tax Cap that was equal to the amount the State budget was increased by in the last year. He concurred that this would be an appropriate discussion to have at the next meeting of the Legislative & Rules Committee and Ms. Wood noted she had some changes she would like to see made, as well.

Supervisor Conover reminded the Board that last year they had made a very significant modification to the County reimbursement rate for the Towns for taking care of the County roads located in their municipalities. He explained the formula had been revamped in an effort to better represent the Town's actual costs for that service. He acknowledged Supervisor Merlino and Mr. Tennyson for taking this step and addressing the need to reduce the amount of salt being applied to the road surfaces as it related to County waterways in proposed Resolution No. 444. He welcomed this addition to the formula. He encouraged everyone to attend the Salt Conference taking place at the Sagamore Resort in Bolton Landing on September 28<sup>th</sup>.

Supervisor Conover reported that a Joint Meeting of the Finance and Community College Committees had taken place on September 2<sup>nd</sup> wherein proposed Resolution No. 445 was approved. He pointed out the proposed resolution contained a listing of Capital Projects that were taking place at the college. He noted the far right column listed the funding source that was being utilized for a number of these projects as the chargebacks collected from students attending the college from areas other than Warren and Washington Counties. He continued, after reviewing some of these Capital Projects, as well as the NSTEM Building Proposal it occurred to him that it was necessary to continue to explore whether it was feasible to establish a capital reserve fund dedicated solely to the college to assist them with the financing associated with these projects. He said the size of the reserve may need to be significantly modest; however, he noted, over time he felt this would position the County to be better able to respond to the capital requirements of the college. He informed he felt this topic warranted further discussion, as a number of ideas had been suggested as to how the County could restructure the existing operating budget to begin the process. He apprised he welcomed any suggestions from other Supervisors as to how they could begin to address the long term financial responsibilities to the college. He mentioned although the County had a Multi-Year Plan in terms of the Budget, they had yet to include and Multi-Year Capital Plan for the County. He remarked he felt one of the long term goals of the County should be to incorporate the Multi-Year Capital Plan into the Multi-Year Plan for the Budget. He said this would assist them with determining how they could meet future capital needs.

Supervisor Conover apprised that the Finance Committee had met on September 9<sup>th</sup>, approving proposed Resolution Nos. 420-421 and 458-465, all of which were fairly straightforward. He noted the action item relating to the conceptual design and cost estimate for the proposed storage building to house Office of Emergency Services vehicles and equipment was reflected on the bottom of the second page of proposed Resolution No. 420.

Supervisor Monroe advised that the Park Operations & Management Committee had met on September 9<sup>th</sup>, wherein Robert Blais, *Mayor for the Village of Lake George*, provided a report on the meeting he had with all of the promoters that sponsored events at the Festival Commons this year. He stated Mayor Blais reported that very few of the events held during the summer were profitable for a number of reasons. He said the promoters had provided Mayor Blais with some useful feedback regarding the



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Festival Commons, such as the need for a stage, addressing the lack of parking, as well as the need for a box office. He informed that Elan Planning and Design, Landscape, Architecture, PLLC had worked with promoters who had used the Festival Commons to come up with a conceptual design for the stage they felt would meet the needs of the promoters. He mentioned the usage fees for the space could be increased if a stage was included as part of the package. In regards to parking, Supervisor Monroe apprised that parking was not an issue during the off-season which he felt was beneficial since they wanted to promote events during this time frame; however, he noted, it was evident there were parking issues during the summer season when an abundant amount of other activities were taking place in that vicinity, as well. He apprised he was optimistic that the County-owned West Brook Parking Lot would be open next year which would add an additional 90 parking spaces, as well as the additional parking the Town of Lake George was working on constructing a lot on the east bound side of West Brook Road. He asked Supervisor Dickinson how much additional parking this would provide to which Supervisor Dickinson responded the work projected that there would be 49 parking spaces located there. He reported the work commenced on the project about a week ago with a projected completion date of next spring. Supervisor Monroe remarked although this partially addressed the need for parking he believed there was still a demonstrated need for additional parking during the summer season.

Supervisor Monroe pointed out Mayor Blais had reported that even the event that showcased Arlo Guthrie, who was a well known performer, had only been able to sell 600 tickets. He continued, in order to break even on the performance the promoter needed to sell at least 1,000 tickets; therefore, he said, they sustained a loss on the event. He apprised they felt the event would have been successful if it had been scheduled during the off season. He remarked he felt a good test for them would be the event coming up at the end of the month that would feature Sawyer Fredericks, who was a recent winner of the national television show "The Voice", as they felt the event would be successful since it was featuring a big name act and was taking place during the off season.

Supervisor Monroe advised that Mayor Blais had also raised the issue of the need for a box office at the meeting. He informed presently there was not a good way for individuals to purchase tickets in advance; therefore, he said, they discussed the possibility of placing a box office on West Brook or Beach Road where the majority of the foot traffic was. Supervisor Monroe indicated that Mayor Blais had suggested the possibility of offering a package price during the summer season to promoters who would like to have exclusive use of the West Brook parking lot rather than charging \$1,500 for the use of the Festival Commons and another \$1,500 for the use of the parking lot. He mentioned that Mayor Blais proposed charging \$2,500 for a package price until the issues with parking and the need for a stage were addressed to encourage promoters to book the space for their events. Another option Mayor Blais had suggested, Supervisor Monroe advised, was subsidizing occupancy tax at the Festival Commons with \$50,000 a year given directly to the Festival Commons and in turn the space would be rented for nothing but a fee would be collected for renting the parking lot. He stated he believed this would be a point of discussion at the Occupancy Tax Coordination Committee Meeting.

Chairman Geraghty remarked he would like to include the closure of Pac Forest to hunters on the Agenda for the next meeting of the Legislative & Rules Committee. Chairman Monroe mentioned the Adirondack Park Agency was moving forward with the Unit Management Plan for the Essex Train which had some real implications for Warren County, as well as the Southern Adirondacks. He said he would like to discuss this matter at the Legislative & Rules Committee Meeting, as well.

Supervisor Girard advised that the County Facilities Committee had met on September 1<sup>st</sup>; approving proposed Resolution Nos. 424, *Authorizing the Chairman of the Board to Execute an Updated Federal Aviation Administration (FAA) Disadvantaged Business Enterprise (DBE) Program as Required by the FAA and US Department of Transportation (DOT) in Order to Receive and Participate in All Assisted Contracts*

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for Warren County Floyd Bennett Memorial Airport, and 425, Authorizing a Public Hearing with Respect to a Possible Amendment to the Airport Land Lease Agreement with Schermerhorn Aviation, LLC. for the New Restaurant at Floyd Bennett Memorial Airport to Include Additional Area to Accommodate a Patio for Outdoor Dining. In regards to the Courts, Supervisor Girard informed a meeting with the contractors that would be completing the demolition work on the former Law Library space would be taking place on Monday, with the work commencing shortly thereafter. He noted most of this work would be completed after normal business hours so as to not disrupt court business.

Supervisor Girard reported that the Cornell Cooperative Extension had their most successful Golf Tournament fundraiser this year a few weeks ago. He reminded the Board that the County had decreased the amount of funding allocated to them a few years ago by 35% which forced them to utilize other methods to support their continued operation. He noted that the Safety Program for Loggers which was vital to the northern region of the County was no longer being provided funding. He added the Nutrition Program funds for this region had been reallocated to the New York City region; therefore, he said, the program would no longer be offered here. He stated that the County Budget Officer would be reviewing whether other sources of funding existed within the budget to provide funding so that these programs could continue on. He remarked he was appreciative of all the services provided by Cornell Cooperative Extension to the community, as they provided assistance to the individuals with the most need. He pointed out rather than complain about the County cutting back the allocation to them, the organization had come up with alternative ways to raise the funds necessary to ensure their continued operation. He remarked he was proud to be part of the organization.

In regards to preferred parking passes for this weekend's Adirondack Balloon Festival, Supervisor Girard advised passes were still available to purchase through the County Treasurer's Office. He surmised this years event could be the most successful one they had in many years due to the favorable weather forecast for the weekend.

Supervisor McDevitt stated that the County Clerk-Motor Vehicles Committee met on September 9<sup>th</sup>, approving proposed Resolution No. 423, which appointed a new County Historian. In addition, he said he had attended a meeting for the department with the Budget Team to discuss the County Clerk's 2016 Budget Request. In regards to change in ownership on the application for ownership of Westmount Health Facility as it related to Centers, Supervisor McDevitt remarked that due to the lack of notice regarding the change in ownership he felt it was pertinent for the Health Services Committee Meeting date to be changed so they could have an opportunity for further discussion to take place prior to the meeting with the NY DOH on Thursday. He mentioned he was uncomfortable with the fact that he knew nothing about the new owner, Mr. Greenberg. He said Mr. Rosenberg had been courteous enough to come before the Board to meet them and explain his program. He pointed out the same opportunity had not been offered in regards to Mr. Greenberg which he felt was an issue. Another issue, Supervisor McDevitt advised involved the criminal report by the Sheriff's Office regarding the alleged criminal activity by Siemens relating to the Co-Generation Plant. He said he was surprised by the fact that the Attorney General had decided not to pursue criminal charges against Siemens in this matter but that the option to pursue civil charges against them remained open. He posed the fundamental question in this matter was whether they, as Supervisors, had the right to view the report. He continued, he hoped the answer to this question would be yes. He stated to carry this one step further he inquired whether the public had the right to review the report, as well, in order to come up with their own conclusion on the matter.

Supervisor Taylor advised prior to providing his report he would like clarification as to whether his understanding was incorrect regarding the proposed resolution for the Community College. He indicated he was under the impression that no action would be taken on the Capital Project for the

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college until after the Multi-Year Plan had been reviewed and another Joint Meeting of the Finance and Community College Committees was scheduled. Supervisor Conover apprised his understanding was that pertained to the NSTEM Project only and not to this particular resolution. Supervisor Taylor interjected that according to proposed Resolution No. 445, \$4 million of funding would be utilized for purchasing equipment and furnishings for the NSTEM Building. Supervisor Seeber informed that she believed a portion of the funds for purchasing the equipment and furnishings would be raised by the college independently with the expectation that in the future the \$10 million in funding required for the Local Share being requested from Warren and Washington Counties could be discussed further. She said her understanding of proposed Resolution No. 445 was that it related to utilizing funds received from chargebacks to start the initial phase of the Project.

Chairman Geraghty advised that proposed Resolution No. 445 did not relate to the construction of the NSTEM building but rather to upgrades to the current building with the bulk of it being paid through chargebacks. He informed that this did not relate to Warren County's share towards the NSTEM Project, as they were still researching whether a source of funding was available within the current budget to provide Warren County's share of the costs of the project.

Supervisor Taylor inquired why the equipment for the NSTEM Building was included in this resolution. Supervisor Strough advised that the projects included in the proposed resolution included new sidewalks, upgrades to the gym and updating some of the science equipment and furnishings within the existing Science Building. He mentioned the items listed in the resolution all related to deferred maintenance, as none of them related directly to the NSTEM Project. Supervisor Taylor remarked that was different than what he remembered reviewing because it had included furniture for the new NSTEM Building. Supervisor Strough indicated the resolution did include furniture for the Science Building which would be included in the new Project if it moved forward; however, he noted, right now it included upgrades that needed to be completed at this time.

Supervisor Taylor reported that the Economic Growth & Development Committee last met on September 2<sup>nd</sup>, approving proposed Resolution Nos. 431-433. He explained that proposed Resolution No. 431 was necessary since it was a project that the IDA had approved and held a public hearing on. He noted the Fort Edward Town Board had bought into the project, which included an enhanced pilot changing from 10 to 15 years. He advised General Municipal Law required each Chairman of the Board of Supervisors in Warren and Washington County to sign approving acceptance of the project. With regard to action taken by the Personnel Committee at their September 9th meeting, Supervisor Taylor provided a brief overview of proposed Resolution Nos. 452-456, all of which were included in the resolution packet.

Supervisor Taylor apprised he had attended a meeting at SUNY Adirondack regarding the Upstate Revitalization Initiative. He explained that the Governor had set up the initiative to be on a competitive basis between seven different Regional Economic Zones which included the Capital Region, which Warren County was part of, Central New York, the Finger Lakes, Mid Hudson, Mohawk Valley, North Country and the Southern Tier. He continued, of these seven Regions, three would be awarded \$500 million over a 5 year period. He said this meant \$100 million a year would be allocated towards economic development projects that were selected by the Economic Board of that particular Region. He mentioned all of the Regions were working on assembling plans to apply for the funding. He advised the individual economic growth groups were seeking financial contributions that would be used for putting together the planning grant. He said although there had been an abundant amount of participation locally, no one had requested funding from the County, as of yet.

Supervisor Brock advised he had nothing to report on, but he noted in regards to Supervisor Monroe's

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comments earlier about the need for parking for the Festival Space that two private parking garages had been erected in the City of Glens Falls over the last ten years. He stated the City had a discussion about constructing a parking garage over the Elm Street Parking Lot; however, he said, their research determined that it was very costly to construct such a structure. He mentioned a company had provided them with a quote for a metal, one level structure that was about \$2 million as compared to \$6 million for a regular parking garage. He suggested Supervisor Monroe look into this as an option since it provided a less expensive alternative and was a locally owned regional company.

Supervisor Kenny apprised he would like to recognize Ben Driscoll, who was a candidate to fill his seat for the 5<sup>th</sup> Ward in the City of Glens Falls, which he would vacate due to retirement. He mentioned Mr. Driscoll had attended several of the Board Meetings over the last few months. Supervisor Kenny informed that the Occupancy Tax Committee meeting took place on October 2<sup>nd</sup>, wherein the County Treasurer reported a 1.15% increase in revenues as compared to last year at this time. He advised Jeff Mead, who had been hired as the new Facilities Manager for the Glens Falls Civic Center, had been introduced to the Committee. Supervisor Kenny stated that Elizabeth Mahoney, *Legal Counsel for the Adirondack Civic Center Coalition*, provided an update with respect to their efforts thus far, as well as those for the future. Supervisor Kenny indicated that upon further research he determined that the average tanker car for the railroad held between 20,000-27,000 gallons, with the average residue equating to up to 7% which meant there could be up to 2,000 gallons of residue present. He said the reason these cars were obsolete was due to the fact that they had outlived their usefulness and they leaked. He suggested the Board Members keep this in mind the next time discussion regarding this matter took place.

Privilege of the floor was extended to Mr. Dusek to provide the report by the County Administrator. Mr. Dusek informed that Mary Gallagher, *County Auditor*, was leaving the County after many years of providing excellent service. He stated although she would be missed he was pleased to report that they were fortunate enough to fill the position with Carla Steves, who had worked with Ms. Gallagher in the County Auditor's Office for the past five years. He asked Ms. Steves to stand up so that everyone would be aware of who she was. He remarked that Ms. Steves was well qualified to take over the position due to her experience working in the Auditor's Office, as well as her experience from previously working within the Department of Motor Vehicles and County Clerk's Office. He reported she received a stellar recommendation from Pam Vogel, *County Clerk*. He added he felt the County had been very fortunate that Ms. Steves was willing to step up and take the position of County Auditor. He complimented Ms. Gallagher for the services she provided to the County over the last ten years, as she had done what they wished more Department Heads would do by working with Ms. Steves to familiarize her with the job to ensure there was a smooth transition when she left.

Chairman Geraghty then called for the report by the County Attorney and Ms. Bartlett advised she had nothing to report.

Chairman Geraghty recognized Assemblyman Stec, who was in attendance today and asked whether he would like to report on anything. Assemblyman Stec advised he was pleased that the County had been able to secure the sale of the Westmount Health Facility on the Agenda for the Meeting of the NYS DOH Planning Council/Committees of the Public Health, as he was aware of the struggles that had been associated with the sale. He informed individuals needed to be aware that the delay in getting the sale on the Agenda related to a procedural process that needed to be satisfied, as well as lingering issues before the sale could be placed upon the Agenda. He said although he was unsure of what the lingering issues were, he questioned whether the issue really worth costing Warren County another \$300,000. He pointed out whatever the issue was it had been worked out so that the sale could be included on the Agenda of the September 24<sup>th</sup> Meeting. Chairman Geraghty advised there would be more discussion

on this matter later in the meeting.

Assemblyman Stec advised he had just come from the Washington County Board of Supervisors Meeting, wherein he discussed two different subjects. He said the first subject related to the \$500 million the State announced in January to leverage \$500 million from the various broadband providers in order to raise the State-wide broadband capacity to the newest, highest, fastest level possible everywhere in the State. He pointed out there were lingering issues within Warren County just getting the basic coverage. He stated concerns had been expressed regarding whether the funding would be allocated to locations that already had great coverage within their area such as Long Island, the lower Hudson Valley and New York City, as it became available rather than to communities located here that did not even have basic coverage. He indicated that the money had been budgeted; however, he noted, the process had not been developed as to how the funding would be distributed as of yet. He reminded the Board that a very aggressive timeline was announced in January that they have stuck to thus far; he added that a broadband office was in place but a firm plan for how the funding would be disbursed. He remarked that he had mentioned to the various groups, as well as the Lieutenant Governor, that there were communities located in his District where children were driven to the parking lot of the Town Hall or local library to secure a WIFI connection to do their homework at night. He said this was a huge inconvenience that placed children at a competitive disadvantage from an educational standpoint as they tried to further themselves post high school, as well as posing safety and economic development issues. He commented this highlighted the terrain issues, as well as the density of the population within the area.

Assemblyman Stec reported the other matter he discussed with the Washington County Board of Supervisors was the Governor's proposal regarding minimum wage. He stated his theory on this matter was that the initiative would cause a defacto State-wide raise since no one would allow McDonald's to take employees away from Angio Dynamics, as an example, because McDonald's was going to pay them \$15 an hour. He said there would be pressure on employers outside the fast food business to match the \$15 an hour wage. He informed he felt this was a back door end run around the Legislative process to get to this point. He indicated the Governor had publicly announced plans for a \$15 an hour minimum wage being implemented on a timeline State-wide. He commented this would not only impact young employees but also the County Budget, as it could potentially double the increase in the payroll line for the County which would also impact benefits that were derived from the payroll amount such as Workers Compensation Insurance payments. He said some could argue there were benefits to the increase, the abundant amount of potential or unforeseen that needed to be considered before a decision was rendered. He surmised he did not foresee any issues with this being adopted by the State Assembly; therefore, he mentioned, the question would lie with how the State Senate would like to proceed. He advised he had participated in a Legislative Forum at the Sagamore this week where both these issues were discussed, as well as other challenges that were facing the business sector. He apprised that he was pleased that the weather was favorable not only for the Balloon Festival but also so the County could finish up with their paving work for the season.

Chairman Geraghty remarked he felt it was time for the areas within the County that had limited or no broadband coverage to receive some funding, as a great deal of time had been spent on mapping out where these areas were located with little changes over the years. He said they were concerned the funding set aside to increase the broadband coverage State-wide would be allocated to areas to increase the speed rather than to areas with no coverage at all. Assemblyman Stec informed that this was something he and Senator Little were monitoring closely. He pointed out it was rather obvious that there were differences in broadband coverage between Long Island and the North Country. He reiterated he would keep a close eye on the process and advocate for this area to be included in the funding allocation.

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In regards to the minimum wage increase, Supervisor Merlino advised he was a small business owner and he noted other hotel, motel, bed and breakfast, etc. owners worked with a very limited income due to the fact that the nights their rooms were not rented provided them with no revenue. He commented that budgeting played a significant role in keeping small businesses afloat, as they were working with limited incomes of which the minimum wage increase would have a serious impact on. Assemblyman Stec noted there was a definitive difference between the labor market and the cost of living in New York City as compared to the North Country. He stated he had argued against the State's stance that "one size fits all" on several different issues, as there was a significant difference between Washington County and Washington Heights which was a large neighborhood located in New York City as an example. He pointed out that in the 3 years since he had become a member of the State Assembly there had been discussions regarding minimum wage every year although previously the figure had been between \$11-\$12 an hour and not as high as \$15. He stated the approach that was being discussed practically doubled minimum wage over a six to seven year period which was a rather significant increase that would impact any type of business. He remarked that the increase would place a great deal more pressure on businesses located in the North Country who had employees that were currently making under \$10 an hour than in New York City where they may already pay their employees \$15 an hour. He said the one glimmer of hope regarding the minimum wage argument was that it was finally acknowledged earlier in the year that there were different labor markets located throughout the State; however, he noted, he was frustrated with the State-wide proposal that came out a few weeks ago calling for setting the minimum wage rate at \$15 an hour State-wide but utilizing different time frames for Upstate and Downstate New York. He pointed out businesses such as Supervisor Merlino's would be unable to relocate to a different State; however, he said, a manufacturer with multiple plant locations throughout the Country may move their New York plants to other States. He commented his frustration related to the fact that New York was not known for being the most business friendly State, they had one of the highest energy prices in the Country, as well as expenses associated with workers compensation insurance, Medicaid, etc. He continued, in addition to all these expenses possibly increasing minimum wage to a rate higher than the rest of the Country would be ludicrous.

Supervisor Monroe inquired whether there had been any discussion regarding the impact this would have on local governments, as this would have more of an impact on Counties wherein employees wages would be increasing substantially as compared to the New York City Region where employees were already paid similar rates. He pointed out this would have a direct impact on the tax cap for Warren County. He asked whether discussion had taken place regarding the linking the tax cap to the increase. Assemblyman Stec advised that Alan Brown, *Supervisor for the Town of Jackson*, had asked a similar question earlier today at the meeting he had with the Washington County Board of Supervisors. He informed that the Governor had made the suggestion regarding the wage increase a few weeks ago but no analysis had been completed on it as of yet which was part of the process. He stated he believed this matter would be addressed in the Governor's State of the State address taking place in January of 2016. He said the concern was that the Governor would try and include this as part of next year's State Budget. He commented it would be difficult to get it removed from the Budget once it was included.

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

**Monthly Report from:**

1. Probation

**Minutes from:**

1. July 20, 2015 meeting of the Warren/Washington Counties Industrial Development Agency.

**Financial Reports/Correspondence from:**

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1. Capital District Regional Off-Track Betting Corp., July 2015 surcharge in the amount of \$6,789;

Letter from National Grid, containing the semi-annual PCB Inventory Report; and

Letter from June Maxam, regarding *James Fitzgerald, Town of Queensbury Animal Control Officer*.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 420-466 were mailed; she advised Resolution No. 452 was amended after mailing and a motion was needed to approve the revisions made. The necessary motion was made by Supervisor Dickinson, seconded by Supervisor Vanselow and carried unanimously.

Supervisor Beaty apprised that he would like to revisit the resolution proposed last month that was tabled concerning the Board voting on the energy performance contract provided by Siemens Industry, Inc. He reminded the Committee the County Attorney had informed that an update would be provided by the County's Legal Counsel on the matter, but that update had yet to occur even though they had been requesting an update for over six months now. Supervisor Beaty made the motion to reintroduce the proposed Resolution entitled "*Authorizing Execution of Client Acceptance of Year Ten Annual Guaranteed Savings Report for Siemens Industry, Inc*", which was seconded by Supervisor McDevitt; *copies of the proposed resolution were distributed to the Board Members and a copy of same is on file with the items distributed at the Board Meeting*. Chairman Geraghty called for a roll call vote on the motion to bring the resolution to the floor, following which the motion failed by a majority vote of 464 in favor (*Supervisors Simpson, Seeber, Beaty, Westcott, Monroe, Girard, McDevitt and Kenny*) and 525 against (*Supervisors Vanselow, Dickinson, Merlino, Strough, Sokol, Thomas, Wood, Conover, Taylor, Brock and Geraghty*) (*Absent: Supervisor Frasier-11*).

Chairman Geraghty called for discussion and public comment on the proposed resolutions, as well as requests for roll call votes.

Supervisor Taylor requested a roll call vote for proposed Resolution No. 445, *Supporting the Adirondack Community College Capital Improvement Plan for 2016-17*.

Supervisor Merlino asked whether the vote would be on voting on the \$400,000 that was listed as the Local Share in proposed Resolution No. 445 was Warren County's share or if a portion of this was being provided by Washington County. Supervisor Seeber advised that the \$400,000 listed as the Local Share was Warren County's Local Share of the costs. Supervisor Wood interjected that she believed the \$400,000 would be paid by the chargebacks. Supervisor Seeber noted that they were Warren County's chargebacks. Supervisor Wood stated she felt it was necessary to clarify that the Local Share listed was being covered by the chargebacks; therefore, she said, there would be no direct impact on the County Budget.

Supervisor Seeber remarked she felt that Supervisor Taylor brought up a good point regarding funding being allocated to a building that was not in place as of yet. She said she thought this was something that needed to be addressed by the college so that they could clarify their request and clear up any misunderstandings regarding it.

Supervisor Conover advised a suggestion had been made to move forward with the plans and specifications for the Project in the amount of \$500,000; however, he noted, this was not included in this particular resolution. Chairman Geraghty commented he believed some of this included

furnishings that would be used in the current Science Building, as well. Supervisor Strough apprised that the items listed in the resolution were all things the college needed regardless of whether they moved forward with the NSTEM Building or not, as they all related to deferred maintenance items. He said if the new building was constructed the furnishings would be conveyed to it but they still required them whether the project moved forward or not. He pointed out some of the materials in the science building were so outdated that local high schools had more modern equipment available to them.

Supervisor Taylor apprised he respected Supervisor Strough, as he was aware of the fact that he was a member of the SUNY Adirondack Board of Trustees; however, he noted, he would be voting in opposition to the proposed resolution, as it stated *“furniture, fixtures and equipment for the renovation and addition to the existing Science Building and the WORC Building”*. He pointed out \$2 million of the Local Share listed on the resolution encompassed furniture. He said the Resolution stated the following: *“Warren County Board of Supervisors supports the Adirondack Community College Capital Improvement Plan for 2016-17 and does hereby express its intent to support and finance its local share of the projects from funds within the Adirondack Community College accumulate”*. He informed he felt this was indicating they were voting on whether or not the County would pay a portion of the amount listed as the Local Share which was why he requested a roll call vote for this particular resolution.

Supervisor Thomas informed that unless otherwise indicated he believed it had been the long standing practice of the college to use chargeback funding to complete capital improvements. Supervisor Seeber stated she believed that State Law required the use of chargeback funds for capital projects, as they could not be allocated towards operating costs. Supervisor Thomas commented he felt the college had done just that over the years, and Chairman Geraghty concurred. Supervisor Westcott remarked he felt that this was the key issue because it was money that was normally allocated to the General Fund it would be a different discussion. He continued, if the funding was allocated to capital projects anyway he would defer to the school, as they would know best how to spend the money on capital projects that would impact them. Chairman Geraghty apprised he was under the impression that they would be voting on capital improvements that would be made at the college. He stated he believed the furnishings that would be purchased were for the old Science Building but would be moved into the new building if it was constructed. Supervisor Seeber informed that was how it was presented by the college. She noted she felt there would be many opportunities to return to the Board and vote on whether they would like to move forward with the NSTEM Project; however, she said, she did not view this particular resolution as making a commitment to that project.

Supervisor Taylor pointed out the funding for the purchase of new furnishings did not originate from the chargebacks, as it was listed as a donation from the SUNY Adirondack Foundation. He questioned whether the County would be liable for the funding if for some reason the SUNY Adirondack Foundation was unable to come up with the \$2 million and Chairman Geraghty replied in the negative. He said he believed the SUNY Adirondack Foundation had committed to providing the \$2 million in funding for furnishings and had an existing funding source for it; Supervisor Strough concurred.

Supervisor Beaty stated due to the confusion surrounding the uncertainty of the Counties liability toward the funding, he made a motion to table the matter until the college clarified the purpose of the resolution. Supervisor Brock seconded Supervisor Beaty’s tabling motion. Chairman Geraghty called for a roll call vote on the tabling motion, following which the motion was carried by a majority vote of 502 in favor (*Supervisors Simpson, Vanselow, Beaty, Westcott, Monroe, Girard, McDevitt, Taylor, Brock and Kenny*) and 487 against *Supervisors Dickinson, Merlino, Strough, Seeber, Sokol, Thomas, Wood, Conover and Geraghty*) (*Absent: Supervisor Frasier-11*).

Supervisor Seeber advised she was unsure whether it would be appropriate to ask this question now



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or after the Board voted on resolution; however, she said, she had a general question relating to the Siemens Energy Performance Contract. Chairman Geraghty asked whether it pertained to the resolution sponsored by Supervisor's Beaty and McDevitt and Supervisor Seeber replied in the negative. Chairman Geraghty informed that they could address Supervisor Seeber's question following the vote on resolutions.

There being no further comments regarding the resolutions, Chairman Geraghty called for the voting on resolutions, following which Resolution Nos. 420-466 were approved with the exception of Resolution No. 445, which was tabled.

Chairman Geraghty offered privilege of the floor to any members of the public wishing to address the Board of Supervisors.

Travis Whitehead, *Town of Queensbury Resident*, advised he would like to take a few minutes to explain what it meant by changing the sole owner of the Westmount Health Facility to David Greenberg. He said according to his research as far as he could tell Mr. Greenberg had never come to any of the meetings with Warren County representing Centers for Specialty Care, as it did not appear in any of the Board or Committee Meeting minutes. He explained Mr. Greenberg had been the Administrator of the Boro Park Center for Nursing and Rehab Center in Brooklyn, New York and now had a small stake in Corning Center for Rehabilitation and Healthcare, as well as Steuben County Infirmity which were both located in Steuben County. He said Mr. Greenberg would be replacing Mr. Rosenberg as the owner of the Westmount Health Facility. He reminded the Committee Mr. Rosenberg went before the Board and stating that he stood behind Centers for Specialty Care, as it was his organization, etc. He continued, Mr. Rosenberg also assured the County without a doubt that he would be the majority member of the LLC (*Limited Liability Corporation*), which was changed two days ago to Mr. Greenberg. He apprised the way the NYSDOH reviewed sales was that they vet these individuals; therefore, he said, in the case of Mr. Rosenberg, he owned about 20 nursing homes which would have to be reviewed by the NYSDOH in order to determine whether Mr. Rosenberg was a suitable owner for the Facility. He pointed out in the case of Mr. Greenberg, the NYSDOH would only have to review the two nursing homes that Mr. Greenberg owned 5% of wherein Mr. Rosenberg owned the majority of them. He apprised generally nursing homes were owned by one majority owner along with a few individuals who owned about a 5% share of which Mr. Greenberg was. He informed what would occur now was the NYSDOH would not review the bulk of the nursing homes other than the two Mr. Greenberg was 5% owner of, He remarked what was interesting was at the last meeting two months ago in July the NYSDOH Health Planning Council/Committees of the Public Health on a completely different subject the question was raised to the NYSDOH at what point it became unacceptable to continue to issue certificate of needs to individuals. He said the NYSDOH answered the question by stating they reviewed the number of facilities that the individual is controlling and how they were doing from a quality standpoint for those particular facilities. He pointed out just on the last dozen homes Mr. Rosenberg presented to that Committee and received a certificate of need transfer for, 4 of them were rated two out of two. He reminded the Board a rating of two out of two meant the facility was below average. He said the other 8 facilities owned by Mr. Rosenberg were rated a one out of two which was the lowest rating that could be achieved and was well below average. He pointed out this meant of the last 12 homes Mr. Rosenberg presented to this Committee, 8 were rated one out of five and 4 were rated at a two out of five. He reminded the Committee that the Westmount Health Facility had recently achieved a rating of three out of five on their Health Department Inspection and a four overall. He commented you could get the sense that perhaps Mr. Rosenberg had not been doing a good job managing the last 12 facilities that he received Certificates of Need for, as they were all rated poorly. He said he felt the NYSDOH would have questioned Mr. Rosenberg about this since it had been brought up at their last meeting. He remarked the speculation was that the NYSDOH had some concerns with that which was the reason why

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it had been at a standstill since February. He stated the importance to the County was that they really did need to have these things vetted. He said he felt it was startling that 12 of Mr. Rosenberg's facilities were rated below average.

In addition, Mr. Whitehead apprised the Board may remember the whole argument regarding who owned what for the Suffolk County Facility which was listed on Mr. Rosenberg's website. He said he was under the impression that they should discuss this but he was told that when it really came down to "the nuts and bolts", the NYSDOH felt the owner of the facility counted. He continued, at the next meeting they were told that Mr. Rosenberg was the owner of the land and the building of the Suffolk County Facility; however, he noted, that did not count either. He reported in the case of the Westmount Health Facility Mr. Rosenberg would not be the owner of anything, as Mr. Haggler would have the entire ownership of the property that the County sold him for \$1.5 million. He pointed out Mr. Hagler's application, which was available online for review detailed what the payments would be as far as rent was concerned. He indicted over the 10 year lease Mr. Hagler would collect \$5.5 million for his \$1.5 million purchase here. He remarked at the end of 10 years he did not feel anything would change and Mr. Hagler would collect another \$5.5 million and so forth. He advised the application stated that since the Facility was running at a deficit they would cut salaries and benefits by 27%. He commented he would equate this to the reason so many of Mr. Rosenberg's facilities were rated below average, as he had cut salary and beenfits at those facilities, as well. He indicated employees would leave since their salaries and beenfits had been cut but they were performing more work which could leave the facility with less qualified employees. He stated he felt it was important the Board was aware that it was not simply just a name change in ownership, as there was a significant difference.

Supervisor Brock stated that he voted in opposition of the resolution proposed by Supervisors Beaty and McDevitt in regards to voting on the Siemens Guaranteed Savings Report for Year 10; however, he noted, every time this issue was discussed it was indicated that Larry Paltrowitz, *Legal Counsel for the County*, would provide and explanation as to why they should not vote on this particular contract but nothing ever came to fruition. He questioned when the Board would be able to meet with Mr. Paltrowitz to discuss this matter further. Ms. Bartlett apprised as she had previously stated she would have to discuss this with Mr. Auffredou, as she was unable to provide a specific date.

Supervisor McDevitt pointed out if the County were selling automobiles or clothing on Route 9 he did not think anyone would care too much about ratings. He said the NYSDOH website listed the ratings of all of the nursing homes in the State. He said the ratings of Mr. Rosenberg's facilities displayed a specific and distinct pattern, as the last dozen homes that Centers for Specialty care brought before the NYSDOH were all rated below average. He noted these were the individuals that would be caring for the elderly who were the most vulnerable population of the County. He continued, next Thursday a team from the County would be traveling to New York City or Albany wherein they may meet Mr. Greenberg and ask the NYSDOH to seriously consider approving the application when in deed they factually and definitively can review a proven track record of unacceptable performance in the care of the elderly population. He remarked he was hopeful that the NYSDOH would make a decision he felt was in the best interest of the elderly population.

Supervisor Simpson asked whether the Sheriff's investigation document regarding Siemens was available for the public to review or it was confidential. Bud York, *Warren County Sheriff*, advised as far as FOIL (*Freedom of Information Law*) was concerned he believed it was foailable; however, he noted, however he would have to defer to the County Attorney as to whether this was the case. He remarked it had always been his policy to be transparent and therefore, he would welcome any Supervisors with questions to come to his office and discuss them with him. He reiterated he felt the document was foailable but he was unsure whether some information would need to be redacted. Supervisor Simpson

apprised he was unaware that the County Attorney would be the one to make that decision, as he felt the Sheriff's Office worked independently and all FOIL requests for that particular document would be handled by them. Sheriff York informed that his office handled the majority of the FOIL requests they received unless they had a legal question regarding whether any information should be redacted. He commented due to the time and effort put into the four year investigation and the fact that it was very intricate before they would release the information to the public they were working with the County Attorney on whether any information needed to be redacted since it pertained to a legal matter. He pointed out they were currently working with the County Attorney on the FOIL request by *The Post Star* for the document. Supervisor Simpson inquired whether they had any idea of the timeframe for when this would be cleared up and the document would be available for review and Ms. Bartlett responded she could not provide a specific timeframe, as she would have to discuss this with Mr. Auffredou. She noted she would definitely be speaking with Mr. Auffredou regarding this matter; however, she said, she could not provide Supervisor Simpson with a specific date.

Supervisor Beaty asked whether the Supervisors could be provided a copy of the report without each of them individually having to put in a FOIL request, as he felt that was ludicrous. Ms. Bartlett advised she would have to defer to Mr. Auffredou. Chairman Geraghty remarked that the request would be forwarded onto the County Attorney for review.

Supervisor Seeber apprised she had been under the impression the County Administrator was the FOIL contact and she inquired whether this was correct to which Mr. Dusek replied in the negative. He explained that the County Attorney advised all departments on FOIL. Ms. Bartlett stated that the County Attorney assisted with FOIL requests that were associated with legal issues and such. Ms. Seeber asked whether the County Attorney made the decision regarding FOIL requests involving legal matters and Ms. Bartlett replied affirmatively. She remarked that she felt if one member of the Board had been provided a copy of the report then all of the Supervisors who were elected to represent the people should be provided a copy, as well. She said she was frustrated that she had not been able to review the report.

In regards to the Siemens Performance Contract, Supervisor Seeber noted she was not present at last month's meeting when the resolution was tabled; however, she questioned why they were unable to discuss why it was important for the resolution to be introduced to the floor, as it was tabled before any discussion could occur. Chairman Geraghty advised the matter had been discussed at August 21<sup>st</sup> Board Meeting. Supervisor Seeber interjected that on both occasions the resolution was tabled before it was brought to the floor to discuss. Chairman Geraghty explained that was due to the fact that the resolution did not pass to be able to be on the floor for discussion. He pointed out upon the advice of the County Attorney the resolution was tabled. Supervisor Seeber indicated the Performance Contract had been cancelled for both Countryside Adult Home and the Municipal Center, as they recognized there were no savings and therefore would no longer pay for the report from Siemens that stated the County was saving money when they were aware this was untrue due to the report completed by EnerNoc. She pointed out this had equated to a substantial amount of savings for the County even though they still had a contract on both buildings with Siemens. She said the County still had a contract on Westmount Health Facility with Siemens that they continued to pay them for this report. She remarked she was frustrated that in Year 10 the County paid about \$9,105 for a Performance Contract Report they were not voting on or giving any credibility to. She questioned why they had to continue to pay for the report when they cancelled for their two other entities within Warren County to which Ms. Bartlett responded she would have to defer to Mr. Auffredou on that question, as she was unsure of the answer.

Supervisor Seeber inquired whether they could vote to have Mr. Paltrowitz attend the October 16<sup>th</sup>

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Board Meeting so that he could provide the clarification regarding the Performance Contract they had been waiting to receive for several months now. Chairman Geraghty informed they could make a request that Mr. Paltrowitz be present at the next meeting. Ms. Bartlett advised she would pass this request along to Mr. Paltrowitz. Supervisor Seeber queried whether the Board whether they would be inclined to make a formal request for Mr. Paltrowitz to attend the next meeting and provide that explanation to them. Supervisor Dickinson asked whether Supervisor Seeber was referring to the Siemens Report and Supervisor Seeber replied she was talking about hearing from Mr. Paltrowitz as it related to not only the Siemens Report but also what was occurring with the civil litigation of this case. Chairman Geraghty remarked he believed that Mr. Paltrowitz had planned to come to a meeting in October and Supervisor Seeber responded it appeared that they heard he was coming every month but nothing ever came to fruition. Chairman Geraghty interjected that they were informed by Mr. Auffredou at the August 21<sup>st</sup> Board Meeting that Mr. Paltrowitz would be making a presentation in October. Supervisor Seeber advised she had discussed this matter with Chairman Geraghty, Mr. Auffredou and Special Counsel in January of this year and her understanding was that it would not take eight months for some of this discussion to take place. Ms. Bartlett apprised that she would have to discuss the matter with Mr. Auffredou; however, she noted, she believed that Mr. Auffredou had specified that Mr. Paltrowitz would be making a presentation and answering any questions they may have. Supervisor Beatty interjected he thought Mr. Auffredou had indicated they would be provided an update before the September Board Meeting. He stated he concurred with Supervisor Seeber and this was why he brought the topic up, as well since it was disconcerting that they kept being told they would be hearing from Mr. Paltrowitz but the information was never received. He continued, he proposed a resolution to vote on the Siemens Performance Contract of which the majority of the Board voted in opposition. He pointed out the County was paying for the report; therefore, he said, he felt they required more definitive action on the County Attorney's part, as well as from Mr. Paltrowitz who they were paying a fee of \$4,000 a month to.

Supervisor Westcott apprised since Mr. Auffredou was not present at today's meeting he was requesting that Ms. Bartlett provide a commitment on a timeframe for when they could receive a response from the County Attorney's Office own when the Board would know Mr. Auffredou's position on the Sheriff's records, as the next Board Meeting was not until October 16<sup>th</sup>. Ms. Bartlett informed she would discuss the matter with Mr. Auffredou next week. Mr. Westcott inquired whether a notice could be sent out to the Board Members within one week and Ms. Bartlett replied affirmatively.

Supervisor Westcott reported they had not gone into an executive session to discuss the rationale as to why they were not voting on the Performance Assurance Report even though they had repeatedly requested the opportunity to meet with Mr. Paltrowitz. He inquired whether they could schedule the meeting with Mr. Paltrowitz to take place within the next week so the Board was well informed of the meeting date. Ms. Bartlett informed she would need to discuss the specifics with Mr. Auffredou regarding the scheduling of the meeting. She said if Mr. Auffredou had indicated he would report on the matter she would have to ask him about it. She stated she would let them know one way or another.

With regards to the announcement that Mr. Rosenberg was not going to be the owner of the Westmount Health Facility, Supervisor Westcott apprised he felt it was pertinent to read some direct quotes from the February 20<sup>th</sup> Board Meeting where they voted on the sale which were as follows: *Page 13 "Mr. Eisenberg pointed out that in the State of New York there was no such thing as a corporation owning a nursing home and that they needed to be owned by individuals". Page 17 "I asked Mr. Abramchik whether Mr. Rosenberg would be the new owner of Westmount and he replied affirmatively"*. Supervisor Westcott pointed out at that time it had been established that Mr. Rosenberg was going to be the owner of the facility. He stated he brought up at the March 16<sup>th</sup> meeting of the Health Services Committee that again on February 20<sup>th</sup> he confirmed that Mr. Rosenberg would be the owner and Mr. Rosenberg

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countered directly to that question that he would be the majority share owner of the facility with regards to its operation and not the land or the building. He stated that later in the meeting Mr. Rosenberg explained that the NYSDOH did not care who owned the land beneath the facility, as they were only concerned with who owned the facility and took care of the residents. He pointed out this statement was included in the written copy of the minutes for this particular meeting. Supervisor Westcott advised he went on to review the videotape of the meeting and noted that Mr. Rosenberg stated the following: *"Who was taking care of the residents was what he put his reputation on the line"*. Supervisor Westcott indicated the point he was making was that Mr. Rosenberg was clearly going to be the owner of Westmount. He continued, Mr. Rosenberg came before the Supervisors to put his own reputation and track record on the line to own the facility; however, he said, they were notified within the last 24 hours this was no longer the case. He surmised the change in ownership had an impact on the supervisors who voted in favor of moving forward with the sale. He reiterate his request from earlier that the Health Services Committee change their meeting date to before the sale went before the NYSDOH on Thursday of next week so they could discuss the matter more and be provided with more information on Mr. Greenberg. Chairman Geraghty advised a number of Supervisors would be attending the annual Fall Conference for NYSAC (*New York State Association of Counties*) but they would make an attempt to accommodate Mr. Westcott's request. Chairman Geraghty requested that Mrs. Allen work with Supervisor Sokol on getting the meeting scheduled. Supervisor Westcott extended his gratitude for this effort, as he felt it was imperative since there was a new owner of the facility.

Supervisor McDevitt pointed out an abundant amount of the comments made that had been delegated to Mr. Auffredou in terms of the decision making; however, he questioned whether any of the Supervisors who voted to table the resolution regarding the Performance Contract would like to provide an explanation as to why they voted that way. Supervisor Girard asked Sheriff York whether it was correct to state that following his criminal investigation on the matter no criminal charges would be filed to which Sheriff York replied affirmatively. He explained that according to the Prosecutors they would not be pursuing criminal charges against Siemens Industry, Inc. or anyone employed there. Supervisor Girard reminded the Board that the contract they had for the Co-Generation Plant included another building that had been torn down; therefore, he said, they could not expect to receive the benefits for a building that was no longer there. He said the new building was built on the Municipal Center Campus. He stated the Engineers they hired had indicated to him that the County was losing \$67,000 a year on the Co-Generation Plant due to the fact that there was no longer another building located over there using the Co-Generation Plant. He commented he felt the Board participated in the fact that the Co-Generation Plant no longer was running the way that they, or those before them, voted to operate it because they had made some decisions that faulted the formula making it work. He said he had heard there had been criminal activity associated with the Performance Contract and someone would be arrested; however, he noted, today they learned that this was not the case. He remarked he believed they were "looking for a loaded gun" since they were the ones who had opted to tear down the older building and build the new one on the Municipal Center campus. He reminded the Board there had been discussions wherein he indicated he would have liked to have the building erected where the older one had been so that the Co-Generation Plant could be used; however, he said, it was decided by a majority vote that the building would be located on the Municipal Center Campus. He commented due to the fact that the formula was no longer valid since the building had been torn down the report did not have any significance to him.

Supervisor Wood encouraged everyone to attend the Fall Farm Tour on September 26<sup>th</sup> in the Town of Thurman. She said she was hoping for nice weather like today on the day of the event so that individuals could go on the tour and enjoy a number of cheese samples.

Supervisor Beaty pointed out although the Attorney General indicated no criminal charges would be

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filed against Siemens Industry, Inc. or any of its employees it did state that they would be seeking full restitution from Siemens for their alleged miscalculations on the savings, which he felt was of great significance. He mentioned not only was the Attorney General attempting to recoup Warren County's money but also for Saratoga County which had cancelled their contract with them, as well as a host of other Counties. He informed it was important not to misconstrue what would be occurring in this case, the Attorney General would be seeking restitution for the Counties from Siemens for figures that did not calculate to what they had guaranteed the savings would be.

Supervisor Sokol requested Chairman Geraghty's permission for Brian Granger, *Town of Queensbury Resident*, to address the Board and Chairman Geraghty advised this was permissible. Mr. Granger apprised that he resided in and owned a business in the Town of Queensbury. He informed he was the former General Manager of Kings Paving Corp. located in the City of Schenectady. He said he would like to address the article that was featured in *The Post Star* a few weeks ago concerning the County completing their own paving work versus putting it out to bid. He stated that he had personally been involved with paving projects for the Towns of Niskayuna, Guilderland, Colonie, the City of Schenectady, Albany County, Schenectady County, as well as several others. He pointed out all of those municipalities did not handle their own paving, as the work was put out to bid generally by per ton in place which encompassed all aspects of the paving work including maintenance and protection of traffic, paving, etc. He mentioned the bids were normally done during the first few months of the year, as this was when the lowest rates were offered since paving contractors were trying to book their jobs for the year. He advised the City of Saratoga, Rensselaer County, Sullivan County and the New York State Operation of General Services since the State did not complete their own paving work and instead bid their projects out; he distributed copies of bids released by these particular municipalities; *copies of the materials distributed are on file with the items distributed at the Board Meeting*. He advised what had been contained in the article written by Don Lehman in *The Post Star* was the cost and savings versus the what the County was paying to complete the work on their own. He stated based upon his experience if it was costing the County more than \$10 per ton to lay the pavement down the County could save money by putting it out to bid. He indicated what he meant by this was if the County accounted for all of their labor, trucking, fuel, etc. expenses and it calculated at more than \$10 per ton than in his opinion the paving work was not being done efficiently. He stated a paving contractor would strive to lay down a minimum of 2,000 tons per day of pavement a day with the actual amount being closer to around 2,500 tons. He noted when he was operating manager for King's Paving Corp his crew set a record of 3,200 tons in one day which was still standing today. He mentioned the paving division did not make much of a profit on their work, as it was a sacrifice to ensure the plants continued operation; therefore, he said, the work they did was at cost, as they had to lay down 2,400 tons of pavement a day to break even. He apprised he included copies of bids in his packet for the Supervisors to review, as he was aware that the County was considering putting the pavement work out to bid. He suggested they put it out to bid and review the responses to determine whether to move forward with the use of a contractor or continuing the work in-house. He stated a perk of this would be that the Towns, Villages and City of Glens Falls would be able to piggy back off of the bid. He advised he felt if the County were to go this route they should award the bid to all the contractors who placed bids on the work, as it would allow the municipalities to select which contractor they wanted to use, and ensure it was competitive.

Mr. Granger informed the second key issue was that everyone was seeking quality even though asphalt was expensive. He stated a smooth roads useful life was twice as long as a rough one. He noted the County would get 50% less life expectancy out of a road if it was not smooth which was a critical issue. He said that paving machines contained a number of electronics on them, all of which should be used to ensure the proper application of pavement was being achieved. He mentioned he had heard that the County was not using the electronics on their machine, which he felt if deemed to be a true statement

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was a big mistake on the County's part. He apprised it took a crew of individuals that were in sync line a three piece orchestra to ensure the application of a smooth road. He remarked he believed quality was an issue. He advised a few years ago he had been upset with the way contractor was paving Main Street in the Town of Queensbury. He said he called the County to notify them there would be puddles in the road which there were in several locations; therefore, he stated, had he been in charge of this paving job he would have made them mill it up and do it over. He commented that paving was an art that took an orchestra that played together everyday to do it correctly. He encouraged anyone with questions regarding the information he provided to contact him. He added he would welcome donating his time to help the County prepare the bid for the paving work if they were to go this route.

Supervisor Seeber stated he would like to respond Supervisor Girard's statement that the Performance Contract meant nothing to him; however, she noted, the County had paid over \$67,000 for reports up until Year 10. She continued, if the report meant nothing she did not understand why the County continued to pay for a report that had been cancelled for Countryside Adult Home and the Municipal Center and in turn saved the money for the report. She advised she understood there were different standards between criminal and civil cases but that did not mean something wrong did not occur. She commented if she had been able to review the report from the Sheriff's Office she would better understand why the Attorney General was recommending civil action be taken since they would not pursuing criminal charges in this case. She indicated that it was her understanding that both Sheriff York and Chairman Geraghty reviewed copies of this report; therefore, she was requesting that the Board be provided with a copy, as well. Chairman Geraghty advised they had deferred the matter to Mr. Auffredou. Supervisor Seeber questioned why the Supervisors could not review the report when Chairman Geraghty had access to it and Chairman Geraghty reiterated he was deferring to Mr. Auffredou. Ms. Bartlett apprised she needed to discuss the matter with Mr. Auffredou, as he had been involved in the process. Supervisor Seeber commented she looked forward to hearing from Messrs. Auffredou and Paltrowitz regarding this.

Chairman Geraghty stated that during his report he had failed to mention that the resolution packet included one Proclamation proclaiming the week of October 18-24 as Freedom from Workplace Bullies Week.

Supervisor Westcott advised he would also like to respond to Supervisor Girard's comments regarding the Performance Contract, as he disagreed with him and felt he was incorrect. He recommended that Supervisor Girard meet with the engineers from EnerNoc or some local engineers he could introduce him to and go through what he said to verify whether this was correct or not, as he believed the engineers findings would contradict what he said. He mentioned this was an appropriate explanation as to why Supervisor Girard voted the way he did but it did not go along with what the engineers were stating.

Supervisor Girard informed he had not included in his dissertation the fact that there was also a contract on the Municipal Center Building wherein the heat pumps were replaced due to the longevity of the existing pump had expired and were due for replacement. He stated the Siemens Industry Inc. financed that project and mapped out a plan that required the thermostats in the building to be set during operating hours and shut off during the evening hours; however, he noted, that plan did not work out because certain areas of the building were so cold that employees were forced to bring in space heaters that augmented the system. He said it was found that the system could not get up to temperatures as quickly as had been anticipated with the new features that were added. He continued, this meant once again the formula did not work because of employees needs and complaints which directed them to augment and change things which impacted the savings that were projected.

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Supervisor Brock indicated he felt Supervisor McDevitt's request that Supervisor's who voted in favor of tabling the resolution presented regarding the Siemens Performance Contract was a fair question, as he had been asked the same question yesterday to which he replied it was due to the fact that Mr. Auffredou had advised them to do so. He pointed out the question kept reoccurring of when would they be meeting with Messrs. Auffredou and Paltrowitz regarding this so they could defend their position. He said every time the matter was delayed it created more difficulties for those who voted to table the matter to defend their decision. He informed he had been under the impression they would be provided an update before today's Board Meeting. He remarked he believed it was imperative the meeting be scheduled so they could have a better understanding of what they were trying to defend. In regards to the Sheriff's report on Siemens, he commented rumors and ignorance created more issues than what damaging information was contained in the report; therefore, he said, he believed the earlier the report was released the better. He commented it was difficult to defend Mr. Auffredou's rationale without knowing the facts.

Supervisor Dickinson advised he would like to recap that the Salt Summit would be taking place at the Sagamore Resort in Bolton Landing, and would be funded by the Fund for Lake George. He said a number of companies that dealt with salt would be attending such as salt manufacturers and equipment providers, some of which would be doing demonstrations. He encouraged any Supervisors who were responsible salting the roads to attend, as it was an excellent chance to observe the latest and most efficient technology available He apprised the summit was geared towards the employees who would be applying the salt to the roads.

Next, Supervisor Dickinson reported this was a big weekend event wise for the County, as they had the Adirondack Balloon Festival, The Lake George Jazz Festival and the Gold Cup Race with a number of antique and wooden boats participating in the Town of Bolton Landing all going on. He pointed out it was possible to attend all three events without much trouble.

Supervisor Simpson remarked he concurred with the discussion regarding the report from Messrs. Auffredou and Paltrowitz concerning the Performance Contract, as he had waited just as everyone else had and was wondering why they were holding off on voting on the matter. He stated it had just occurred to him that he had never heard anyone ascertain that it was a good decision to delay the vote on this. He concurred that they were due some answers, as they could not continue on as they had been.

Supervisor Conover requested that Supervisor Taylor and any others concerned with the wording in the Community College resolution meet with him following the meeting so they could ensure it was corrected for next month's meeting.

In response to an inquiry by Supervisor Sokol, Mrs. Allen informed that if the Health Services Committee Meeting were to be changed from Friday, September 25<sup>th</sup> to Wednesday, September 23<sup>rd</sup> the Meeting Notice would need to be transmitted today to meet legal posting requirements. Supervisor Westcott asked whether it was permissible to move forward with changing the meeting date and Supervisor Sokol responded he would work with Mrs. Allen on scheduling the meeting and getting the notice out before the end of the day.

Supervisor Strough thanked Dave Decker and the Executive Committee Members of the Lake George Watershed Coalition, as they had an assured investment into the URI Process wherein Warren County and Lake George would be represented. He acknowledged the members of the SAVE Committee for their continued support of the boat inspection program for invasive species on Lake George, as they had assured him the program would carry on for at least three more years.



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Supervisor Monroe apprised Mayor Blais wanted to ensure that Warren County continued to budget for providing funds for the mandatory boat inspection program on Lake George. He reported there would be a meeting next week to review that program and discuss funding for 2016. He stated that he and Eric Siy from the Fund for Lake George were meeting with the New York State Conservation Council at their annual meeting in Syracuse, New York tomorrow to discuss their report.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Taylor and seconded by Supervisor Conover, Chairman Geraghty adjourned the Board Meeting at 12:20 p.m.