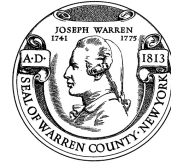


# Warren County Board of Supervisors

**BOARD MEETING  
WEDNESDAY JULY 15, 2016**



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 10:01 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor MacDonald

Roll called, the following members present:

Supervisors Conover, Leggett, Girard, McDevitt, Braymer, Brock, MacDonald, Frasier, Simpson, Vanselow, Strough, Seeber, Beaty, Montesi, Thomas, Wood and Geraghty- 17; Supervisors Dickinson, Merlino and Sokol absent-3

Motion was made by Supervisor Braymer, seconded by Supervisor Vanselow and carried unanimously to approve the minutes of the June 15, 2016 Board Meeting, subject to correction by the Clerk of the Board.

Commencing the Agenda review, Chairman Geraghty declared the Public Hearing open on the proposed Tentative Budget for Adirondack Community College (SUNY Adirondack) for Fiscal Year 2016-17 at 10:03 a.m. and he requested the Clerk of the Board to read the Notice of Public Hearing aloud. Following the reading of the Notice of Public Hearing by Amanda Allen, *Clerk of the Board*, Chairman Geraghty offered privilege of the floor to any member of the public wishing to speak on the proposed Tentative Budget for SUNY Adirondack.

Supervisor Conover remarked that he had been impressed with the presentation of the proposed Budget by the representatives of SUNY Adirondack and he encouraged all those who had not done so to review it. He stated he felt the amount requested for Warren County's share of the cost was appropriate and he recommended they move forward with adopting it today.

Chairman Geraghty called for any additional comments; there being none, Chairman Geraghty advised the Public Hearing would be left open while they proceeded with the Agenda review to allow anyone wishing to comment on the proposed Tentative Budget for SUNY Adirondack to do so.

Proceeding with the Agenda review, Chairman Geraghty declared the Public Hearing open on proposed Local Law No. 4 of 2016 entitled "A Local Law Amending Local Law No. 3 of 2003 'A Local Law Amending Local Law No. 2 of 1971 Entitled A Local Law Establishing a Department of Public Works for the County of Warren, State of New York'" at 10:05 a.m. and he asked Mrs. Allen to read the Notice of Public Hearing aloud which she proceeded to do. Chairman Geraghty called for public comment on proposed Local Law No. 4 of 2016, but there was no one wishing to speak. He advised that they would leave the Public Hearing open while they proceeded with the Agenda review, as well, to allow anyone wishing to comment on the matter the opportunity to do so.

Resuming the Agenda review, Chairman Geraghty extended privilege of the floor to Brian Bearor, *Chief Executive Officer of the Family YMCA of the Glens Falls Area*, to address the Board regarding the new YMCA Adirondack Outreach Center in Brant Lake. Mr. Bearor thanked the Board for allowing him the

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opportunity to speak; he then reviewed a power point presentation providing an overview of the organization, the programs offered, and the new YMCA Adirondack Outreach Center located in Brant Lake, New York that would serve the communities of northern Warren County; *a copy of the presentation is on file with the items distributed at the Board meeting.*

Supervisor McDevitt apprised that he had read an article featured in *The Post Star* which referenced the fact that the North Warren Central School had reached out to the Glens Falls YMCA for assistance with providing after school care for children; he questioned whether anything had come to fruition from this outreach and Mr. Bearor replied in the affirmative. He said they were working with the North Warren Superintendent to determine the needs of the community, as well as reaching out to the local for-profit day-care centers to inquire whether they had any openings available. He remarked should it be determined there was a need for the after school daycare services, the Glens Falls YMCA would partner with the North Warren School to develop a program.

Supervisor McDevitt thanked Mr. Bearor for the services the Glens Falls YMCA provided to the youth in the community, as he felt they provided benefits to disadvantaged youths.

Supervisor MacDonald informed he had been fortunate enough to work for Mr. Bearor for a number of years at the Glens Falls YMCA in their Summer Camps, as well as being a Site Director for an After School Program. He said these experiences contributed to his opinion that it was a gross understatement to state that the Glens Falls YMCA was an asset to the community since there was no way to determine how large of an impact the programs offered had on the youth they served. He thanked Mr. Bearor for attempting to reach out further and expand the programs. He remarked it had been a pleasure to work for Mr. Bearor.

Supervisor Montesi remarked that he felt compelled to point out that Mr. Bearor was a graduate of Queensbury High School.

Chairman Geraghty called once again called for any comments regarding the Public Hearing on the proposed Tentative Budget for SUNY Adirondack, or the Public Hearing on proposed Local Law No. 4 of 2016; there being none, he declared the both closed at 10:20 a.m.

Moving on to the report by the Chairman of the Board, Chairman Geraghty read aloud the listing of meetings he had attended since the June 15<sup>th</sup> Board Meeting; *a copy of the Chairman's Report is on file with the items distributed at the Board Meeting.* He stated he was working on scheduling a meeting with the Supervisors who served the northern portion of the County to discuss the issues with EMS (*Emergency Medical Services*). He welcomed the Supervisors that represented Southern Warren County to attend, as well; however, he noted, the issues only appeared to be situated within the northern portion of the County.

Before continuing the Agenda review, Chairman Geraghty recognized the following people for their years of service to the County which he said was greatly appreciated:

- \* Debbie Ranous for 25years of service to the Sheriff's Department
- \* Cindy Roberts for 25 years of service to the Sheriff's Department
- \* Alice Jenkins for 20 years of service to the Office for the Aging
- \* Berneice Cummins for 20 years of service to the Office for the Aging

Chairman Geraghty then called for reports from Supervisors on the past months meetings or activities.

Supervisor MacDonald stated that in addition to attending the regular Committee meetings he, as well

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as Supervisors Sokol and Braymer attended a meeting with Maureen Schmidt, *Commissioner of the DSS (Department of Social Services)*, Cynthia Schrock-Seeley, *Deputy Superintendent of DSS & Chief Legal Counsel*, Brian Reichenbach, *County Attorney*, as well as a few of the members of the Glens Falls Common Council to discuss some foreclosed properties owned by the City of Glens Falls which had DSS liens on them in an effort to find a mutually beneficial solution for both the County and the City to get these properties back on the tax rolls. Supervisor MacDonald advised he had hosted a Town Hall Meeting in conjunction with Jim Clark, *5<sup>th</sup> Ward Representative on the Glens Falls Common Council*, wherein Ed Bartholomew, *President, Warren County Economic Development Corporation*, was the guest speaker and spoke about community development. He added that Mr. Bartholomew had also been present at the meeting where they discussed the foreclosed properties. Supervisor MacDonald apprised he had attended a few of the Glens Falls Common Council meetings this month, as well. He thanked the Glens Falls Police and Fire Departments for their quick response to a structure fire on Stewart Avenue in the City of Glens Falls that occurred a few weeks ago.

Supervisor Frasier advised she had nothing to report.

Supervisor Simpson reported on the June 22<sup>nd</sup> meeting of the Public Works Committee, providing an overview of proposed Resolution Nos. 296-297 and 314. He advised that he was working on scheduling a future tour of the North Creek Train Station in order to allow the Committee members to observe the work being done on the railroad, as well within the Town of North Creek. Supervisor Simpson then read a prepared statement from Supervisor Sokol, who was absent, which consisted of a brief overview of the June 22<sup>nd</sup> meeting of the Health, Human & Social Services Committee and proposed Resolution Nos. 280-287.

Supervisor Vanselow reported on the June 22<sup>nd</sup> meeting of the Support Services Committee, wherein they approved proposed Resolution Nos. 288-294, which he provided a brief overview of. He requested that Mr. Reichenbach provide an explanation on proposed Resolution No. 295. Mr. Reichenbach advised that proposed Resolution No. 295 authorized the County to retain the legal services of Raul Tabora Jr., *an attorney with Bond, Schoeneck & King PLLC*, to negotiate the County's share of the Universal Settlement proceeds which consisted of Medicaid reimbursement proceeds. He said the first payment was currently in escrow and the County needed to negotiate how much of it would be allocated to them. He informed that Mr. Tabora Jr. was an expert in this field; he noted he believed Mr. Tabora Jr. had assisted with writing some of the regulations when he worked for the State which was why he felt Mr. Tabora Jr. would be a tremendous resource for the County on this particular matter. He added that Mr. Tabora Jr. had indicated to him he would perform the work required for a flat fee of \$4,000.

Supervisor Strough stated he had nothing to report.

Supervisor Seeber apprised at the direction of the Chairman of the Board she had on-going conversations regarding the Airport Advisory Board, as well as the social media policy for the County, along with Supervisor Leggett. Supervisor Seeber remarked she would like to take a moment to thank Mr. Reichenbach for working with her on the issue of conflict of interest, as well as the Board's disclosure forms as it related to being a member of a not-for-profit. She pointed out they had moved well beyond when they were supposed to conduct a three month review for Mr. Reichenbach which she felt was conducive to the fact that he had done a stellar job by hitting the ground running and making a significant impact on the County and its policies. She recognized Mr. Reichenbach and his staff for their efforts; she noted he always answered her questions and/or inquiries in a timely manner.

Supervisor Beaty advised the Shared Services Committee had not met this month; however, he noted, there was an article featured in today's edition of *The Post Star* which provided a summary of their last

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meeting and how they were working to garner more participation from every Municipality on the Intermunicipal Agreement, as this would provide both the County and the municipalities with significant savings. He commented while he was sympathetic to the limited resources available at the municipalities level and the amount of work required of them, he said once everything was in place they would only be dealing with maintenance issues which would require much less exertion on their part. He pointed out the savings realized would far outweigh the amount of work required. He informed shared services had the potential to be the largest cost saver for both the County and the municipalities and he encouraged all to submit the information requested of them in order to participate. He recognized Julie Butler, *County Purchasing Agent*, for all of her efforts to ensure the maximum amount of savings were realized for everyone who participated.

Chairman Geraghty encouraged the Town Supervisors to respond as soon as possible to Mrs. Butler's inquiry regarding the paper products they used, as this would assist them in realizing additional savings. He commented he believed the article brought to light the fact that some of the suppliers were unhappy with what they were working toward; however, he noted, this was to be expected. Supervisor Beaty added that while he appreciated the relationships the municipalities had built with some of their suppliers at the end of the day he felt it was in the best interest of the taxpayers for all of them to get on board and participate in order to save some additional money. He encouraged anyone with questions to contact himself or Mrs. Butler.

Supervisor Montesi stated he had nothing to report.

Supervisor Thomas reported on the June 30<sup>th</sup> meeting of the Budget Committee, wherein they approved proposed Resolution No. 313 which he provided a brief overview of. He stated the discussion at the meeting concerned the updated 2015 Multi-Year plan and the balance of the Unappropriated Surplus Fund balance. He noted that sales tax revenue had increased 2.3% as compared to the same time last year; he commented that he hoped this increase would continue through the end of the year to prevent another shortfall. Supervisor Thomas thanked the Department Heads for their efforts in cutting costs within their budgets whenever possible.

Supervisor Wood provided a brief overview of the June 22<sup>nd</sup> meeting of the Criminal Justice & Public Safety Committee, which included a request to appropriate funding from the Computer Reserve Fund for the purchase of computers and related software for the Sheriff's Office which was referred to the Finance, Personnel & Higher Education Committee.

Supervisor Conover apprised that the Finance, Personnel & Higher Education Committee had held two meetings this month, the first of which was on June 30<sup>th</sup>, where they approved proposed Resolution Nos. 278-279, 304-312 and 314. He reminded the Board they had elected not move forward with filling the County Administrator position and instead would have the Chairman continue to act in that capacity. He acknowledged Chairman Geraghty for all of his efforts in this regard, attributing this activity to the smooth transition since the previous County Administrator had retired. He mentioned there had been alternatives suggested to the position which they would explore further over the coming months. Supervisor Conover informed the Committee had met again on July 12<sup>th</sup> to conduct interviews for health insurance broker services of which fourteen responses were received and five were selected to interview. He stated following these interviews the Committee unanimously voted in favor of moving forward with a contract for these services with Jaeger & Flynn Associates, Inc. as represented by proposed Resolution No. 316.

Supervisor Leggett stated that he had nothing to report.

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Supervisor Girard apprised that the County Facilities Committee had met on June 27<sup>th</sup>, approving proposed Resolution Nos. 298-302, which he provided a summary of. He advised of the upcoming annual Golf Tournament sponsored by Cornell Cooperative Extension scheduled on August 27<sup>th</sup> at Cronin's Golf Resort in Warrensburg, New York and he encouraged all those interested to participate, as he and Supervisors Sokol and Strough did every year.

Supervisor McDevitt apprised that he had attended a meeting with the Office of Community Services yesterday wherein the topic of discussion was their budget. He said he found it perplexing how the need for services increased and yet the amount of money the County contributed for such remained nothing in many cases such as the following: behavioral health services offered by the Glens Falls Hospital which encompassed mental health and addiction type services serving all areas in both Warren and Washington County's; The Council for Prevention which hosted programs regarding opiates, heroin, etc.; and 820 River Street Inc. which provided assistance to those who abused alcohol and drugs. He remarked the point he was trying to get across was that in particular as it related to the Council for Prevention, the County should work in conjunction with Assemblyman Stec and Senator Little in garnering additional financial support for these programs since there was definitive evidence that the needs had increased substantially. Chairman Geraghty pointed out that not only did the County contribute funds to the Youth Court Program which was administered by the Council for Prevention but also the Towns of Queensbury and Warrensburg, as well. Supervisor McDevitt interjected he felt there was an entirely different area which had grown in terms of need over the last three years that needed to be addressed in terms of garnering additional funding to assist them with their efforts.

Supervisors Braymer and Brock advised they had nothing to report.

Privilege of the floor was extended to Mr. Reichenbach, to provide the report by the County Attorney. Mr. Reichenbach informed there was an unnumbered resolution which had inadvertently been left out when the resolutions packet for this month was prepared. He stated the purpose of the proposed resolution was to engage Bartlett, Pontiff, Stewart & Rhodes, P.C. on the same terms they were currently engaged in concerning the Co-Gen Project negotiations to also involve them with the Geothermal Project review as both projects concerned Siemens.

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

Reports from:

- 1 Report of Criminal and Family Workloads for May 2016 from the Warren County Probation Department.

Capital District Regional Off-Track Betting Corp. May 2016 Surcharge check in the amount of \$6,765.00

Letter from the Caldwell-Lake George Library Board of Trustees, expressing appreciation for the County aid to their library.

Letter from John Fair of Orr Appraisal Service, commending the County Clerk and Real Property Tax Services Offices for the assistance provided.

Letter from Pam Vogel, County Clerk, notice of resignation from Gary Scidmore which she read aloud.

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Chairman Geraghty apprised that two resumes were received for the position of Coroner which would be reviewed by the Finance, Personnel & Higher Education Committee. He noted the resignation was not effective until the end of August.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 278-315 were mailed; she noted Resolution Nos. 304 and 305 were amended after mailing and a motion was needed to approve the revisions made. The necessary motion was made by Supervisor Simpson, seconded by Supervisor Conover and carried unanimously. She informed that proposed Resolution Nos. 316 and 317 were prepared after mailing, and a motion was necessary to bring them to the floor, as well as the resolution proposed by Mr. Reichenbach. The necessary motion was made by Supervisor Wood, seconded by Supervisor Frasier and carried unanimously. After the motion, Mrs. Allen announced the proposed Resolution presented by Mr. Reichenbach would be No. 318.

Supervisor Montesi questioned whether it was premature of them to move forward with engaging Bartlett, Pontiff, Stewart & Rhodes, P.C. for the Geothermal Project, as they had yet to select an engineering firm to review it. Mr. Reichenbach advised that the County Facilities Committee had determined they would like to roll the Co-Gen and Geothermal Projects into one negotiation with Siemens in an attempt to achieve a global settlement on the issues there. He continued, in order for this to occur authorization was required to include the Geothermal Project as part of the negotiations with Siemens.

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

Supervisor Seeber requested a roll call vote on proposed Resolution No. 300, *Resolution Declaring SEQRA Lead Agency Status for the Runway 1-19 Extension at the Warren County (Floyd Bennett Memorial) Airport and Authorizing the Chairman of the Board to Execute the Revised SEQRA Full Environmental Assessment Form*. In regards to proposed Resolution No. 298, *Awarding Bid and Authorizing Agreement with Arrow Contracting, Inc., the Lowest Responsible Bidder for Aviation Fueling System Improvements at the Warren County (Floyd Bennett Memorial) Airport (Wc 40-16)*", Supervisor Seeber informed at the June 27<sup>th</sup> meeting of the County Facilities Committee she had requested warranty information on the fuel tanks but to her knowledge the information was never forwarded to her. She reminded the Board there had been issues with the previous company they dealt with for fuel tanks due to a bankruptcy; therefore, she stated, before approving the resolution she had hoped that she would of had the warranty information she requested. Supervisor MacDonald interjected that the information had been disbursed to him and he would forward it onto her following the meeting. He apologized for not transmitting it to her beforehand; however, he noted, he was not aware of her request. Supervisor Seeber asked whether Supervisor MacDonald had been satisfied with the information provided and he replied in the affirmative, noting the information provided had been very thorough.

Supervisor Seeber requested a roll call vote on proposed Resolution No. 281, *Authorizing an Agreement with the Glens Falls B.P.O.E. Lodge #81 for Rental of a Venue for the Annual Senior Citizens Picnic for the Office for the Aging*. She requested that Mr. Reichenbach address the issue concerning disclosures. She stated during the June 22<sup>nd</sup> meeting of the Health, Human & Social Services Committee she had disclosed that she was a member of the Elks Club. She said there had been some discussion as to whether or not she was required to disclose that information and she asked Mr. Reichenbach to clarify.

Mr. Reichenbach apprised his Office had analyzed the terms of the local Ethics Law and Mary Elizabeth Kissane, *Assistant County Attorney*, had prepared a memo which outlined these issues working through

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the process. Mrs. Kissane informed upon her review of the Warren County Ethics Law which was encompassed within Local Law No. 6 of 2014 she determined that when a matter was brought before the Board that required discretion, the Board member was required to determine whether or not they had an interest in the matter or a private organization. She continued, although the Elks was a not-for-profit organization they were still considered a private organization under the County's Ethics Law. She said Board members were considered to have an interest in private organizations if they were a member, director, officer or an employee of that particular organization which meant if they were to vote on a matter that could be construed as providing a material benefit to that private organization they were required to disclose in writing and file with the Board, which as provided in the memo she distributed to the Board members last night. She added they were also not permitted to discuss it or vote on the matter.

Supervisor Seeber asked whether this would apply to all not-for-profits that the Board members belonged to. She pointed out there were several Board members including herself that were members of different Board's for various not-for-profits. Mrs. Kissane stated that according to the Warren County Ethics Law it would be necessary for a Board member to recuse themselves from a vote if in fact they were a member of a not-for-profit that would benefit from the action that was being voted on.

Mr. Reichenbach indicated there were exceptions within the Warren County Ethics Law which included instances such as when the matter would impact the general public or a specific geographic area within the County or a class of taxpayers. As an example he stated if the entity were providing a service to the County that would impact the entire County, such as the SPCA (*Society for Prevention of Cruelty to Animals*) was considered different and was an exception to the disclosure and recusal requirements. He informed in this particular instance since it was a contract which required the Elks to provide a discrete service to a group as opposed to all of the taxpayers throughout the County, it was not subject to the exception and therefore the recusal and disclosure requirements were applicable.

In regards to proposed Resolution No. 318, *Resolution Authorizing Special Counsel to Review Contract Documents Between Warren County and Siemens Building Technologies, Inc. and Provide Legal Advice, Recommendations and Representation to the County Concerning Potential Civil Claims That the County May Have with Respect to Siemens Building Technologies, Inc.*, she stated she had been under the impression that an update would be provided today by the Special Counsel for the County regarding this specific information. Mr. Reichenbach informed that the Special Counsel for the County had a basic discussion with the Attorney for Siemens which he preferred not disclose the contents of in a public meeting; however, he noted, no subtenant progress had been made, as authorization was required prior to proceeding.

Supervisor Strough requested a roll call vote on proposed Resolution No. 316, *Authorizing Agreement with Jaeger & Flynn Associates, Inc. for Health Insurance Broker Services (WC 34-16)*. He stated he worked with the current health insurance broker for the County, Capital Financial, and had great respect for the firm as they had done a stellar job for both the Town of Queensbury and the County. For this reason he said he would be voting in opposition of the proposed Resolution.

Supervisor Brock requested roll call votes on proposed Resolution Nos. 298, *Awarding Bid and Authorizing Agreement with Arrow Contracting, Inc. the Lowest Responsible Bidder for Aviation Fueling System Improvements at the Warren County (Floyd Bennett Memorial) Airport (Wc 40-16)*, and 299 *Authorizing Submission of a Grant Application to the Federal Aviation Administration/New York State Department of Transportation to Support the Cost of Paving Taxiways to the Two (2) New Hangars to Be Constructed by Schermerhorn Aviation LLC at the Warren County (Floyd Bennett Memorial) Airport*

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Supervisor Braymer apprised although she was not requesting a roll call vote, she would like to comment on proposed Resolution No. 300 which concerned the runway extension at the Airport. She stated she wanted to place on the record yet again that the marl fen was a unique and important wetland habitat and given the fact that the County did appreciate their natural resources she felt they should be valuing that wetlands resource and not simply preparing to fill it in by extending a runway which was already 5,000 feet in length. She indicated the current proposal would avoid one of the areas where the marl fen was located but the second would be completely filled in. She remarked she did not feel the County should be moving forward with this project. She stated although there was an abundant amount of information on the economic benefits of the Airport itself, which she felt was an asset to the County and the surrounding areas there was no hard data available on the incremental benefits to the County as a result of the 1,000 foot extension. She mentioned she did not believe the long-term benefits of the extension itself would outweigh the adverse impacts. In conclusion, she apprised the County Facilities Committee had discussed not moving forward with the SEQRA process until the FAA (*Federal Aviation Administration*) had completed their initial review; therefore, she stated, she could not understand how they could move forward with it at this time since the FAA was not complete. She informed she would be voting against the extension at this time and she requested that the Board consider their position, as the County had gone without the extension thus far with no issues, and she encouraged opposition to the extension.

In regards to proposed Resolution No. 316, Supervisor Braymer stated she felt compelled to inform the members of the Board who were not present during the meeting where these interviews took place that the Finance, Personnel & Higher Education Committee had voted unanimously to move forward with Jaeger & Flynn Associates, Inc. for these services. She said Jaeger & Flynn Associates, Inc. had provided the Committee members with the best proposal that would take the County in a new direction. She commented although Capital Financial had served the County well over the last twelve years, it was the consensus of the Committee that they would like to move in a different direction which was why she would be voting in favor of the proposed Resolution.

In reference to the health insurance broker services, Supervisor McDevitt apprised he felt it was necessary to forget about the specific issue involved here and discuss the credibility of the Committee system in Warren County. He pointed out over the last six months individuals had touted the value and integrity of the Committee system in place in Warren County. He said one could either agree or disagree, but if they fundamentally believed that the Committee system worked, to go against the decision of the Committee that took the time and effort to listen to those proposals challenged the integrity of the system.

Supervisor Thomas requested a roll call vote on proposed Resolution No. 302, *Amending the Warren County Smoking and Tobacco Use Policy*, based upon principle. In regards to proposed Resolution No. 316, Supervisor Thomas indicated he had been unable to attend the Committee meeting wherein the interviews for health insurance brokers were conducted due to a prior commitment. He commented he could not vote in favor of the resolution unless someone clarified for him what the new direction was they were going in. He advised over the last several years the County had worked toward being self-insured on the prescription plan and had achieved an experienced rating rather than a community rating which meant the County was rated on its own experience rather than that of the entire region. He pointed out there was a substantial balance available within the reserve which would ensure the rates remained within 4% over the next few years rather than the substantial increases that occurred during 2009 and 2010. He reminded the Board the goal they had been working towards was for the County to become fully self-insured which would allow them to choose the structure with the assistance of an insurance broker to save money for the County and its employees. He requested that someone elaborate on what the new direction concerning health insurance would be.



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Supervisor Girard stated while he was unsure what the outcome of the vote on proposed Resolution No. 316 would be, he felt compelled to address John Weber, *President, Capital Financial*, and thank him for assisting the County during the previous years which were volatile in the economic sense. He said that everything that Mr. Weber and his team worked on and brought to the table during this timeframe proved to be fruitful for the County which was why he was so thankful and had an enormous amount of respect for their company.

Supervisor MacDonald apprised that although he was not a member of the Finance, Personnel & Higher Education Committee he had attended the meeting where the interviews were conducted for health insurance broker services. He commented he felt the contract for these services was rather important and the relationship the County had with their broker would be relevant. He said since he was a new Supervisor and was unfamiliar with the past relationships the County had he went into the interviews with the perspective of a “clean slate”. He advised the Jaeger & Flynn Associates, Inc. presentation was very thorough and precise, and had pointed out a number of things the County needed to anticipate, as well as how they would assist the County with coming up with a solutions. He remarked he felt assured that the Committee had made the correct determination in their selection.

Chairman Geraghty requested a roll call vote on proposed Resolution No. 307, *Authorizing Compensation to the Chairman of the Board for Additional Workload Related to the Duties of the Acting County Administrator*.

Supervisor Strough commented he would like to voice his support of proposed Resolution No. 300. He mentioned he was currently working on draft which supported the economic and safety benefits of the runway extension. He pointed out when he relayed this information to the public their response was to question why anyone was opposed to the runway extension if all of the benefits he stated were going to be realized. He informed while he was appreciative of Supervisor Braymer’s appreciation for the environment, he was aware that the County would work with the NYSDEC (*New York State Department of Environmental Conservation*) and the other interested agencies to ensure that all of the environmental disturbances and impacts would be eliminated or mitigated to the point where they were not substantial and in some cases may even improve upon the economic health of the area surrounding the Airport. He apprised beyond the environmental issues were the economic and safety issues that revolved around the Airport which supported the runway extension and would be included in the draft he was working on.

Supervisor Montesi requested that Supervisor Conover, as the Chairman of the Finance, Personnel & Higher Education Committee, answer Supervisor Thomas’ question regarding the new direction for health insurance the County was taking. Supervisor Conover stated fourteen proposals were submitted, all by reputable brokers, and five were selected to be interviewed. He indicated any of the five applicants they interviewed were qualified to administer the County’s health insurance, as the purpose of the RFP (*Request for Proposal*) process was to establish a level playing field. He stated the purpose of this particular RFP was not only for services but also to save money and to learn how these companies would go about doing that. He stated following the interviews the Committee unanimously voted to recommend moving forward with the proposal submitted by Jaeger & Flynn Associates, Inc. He stated he concurred with Supervisor Girard that the change did not relate to the fact that a poor job had been done but rather how the Committee felt the broker services should be handled going forward. He said if anyone would like more specific details he would recommend they continue the discussion during an executive session.

Supervisor Brock pointed out that it was still unclear what the new direction they were going in was. Supervisor Braymer interjected that those were her words and not necessarily in reference to health

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insurance broker services. She commented the Committee felt that Jaeger & Flynn Associates, Inc. made the best proposal they reviewed which would be a change from the current services in place. She noted the decision was not made because anyone felt Capital Financial was not doing a good job, as this was not the case at all.

Supervisor Thomas informed he was not questioning any of the companies, as he had nothing against Jaeger & Flynn Associates, Inc. or any of the other companies who responded to the RFP; however, he noted, he would like to know what the new direction the County would be going in. Supervisor Conover advised the direction would be determined by the Board, as they were the final decision makers. He pointed out the healthcare program offered by the County had changed substantially over the years; he noted he felt it would continue to do so moving forward, as well. He stated all of this had been actively discussed during the Committee meeting; Supervisor Thomas interjected that he had been unable to attend this meeting.

Supervisor Frasier remarked while she had no problem making changes, she felt the issue was that some members on the Board may not be happy about this.

Supervisor Seeber suggested they consider going into an executive session to allow them to discuss the matter further to answer any questions the Supervisors who were not present during the interviews may have to assist them with making an informed decision.

Supervisor Leggett requested a roll call vote on proposed Resolution No. 317, *Appointing Member to the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation*, as he needed to recuse himself from voting on the matter.

Travis Whitehead, *Town of Queensbury resident*, stated he would like to comment on proposed Resolution No. 295, *Authorizing the County Attorney to Retain Legal Counsel with Regard to Potential Litigation Relating to the Universal Settlement Agreement*, which concerned Universal Settlement payments that totaled over \$300,000 and he questioned how anyone could vote in opposition of it. He stated it was rather clear that any revenue before the closing on the sale of Westmount belonged to the County and anything after that, Centers was entitled to. He opined that if the County had selected to move forward with selling the nursing home to Fort Hudson he did not believe the County would have anything like the relationship it had right now with Centers. He pointed out this was just another example of a company that cared more about making money than what the interests of the County with regards to the public cared for there was.

In regards to proposed Resolution No. 318, Mr. Whitehead advised that he had been taken aback by this action, as he had reviewed the videos for both the Support Services and Finance, Personnel & Higher Education Committee meetings, during which it had been decided to leave the funding for the Co-Generation matter with Siemens from the funding request and yet now the resolution before them would provide funding to Bartlett, Pontiff, Stewart & Rhodes, P.C. for not only the Co-Generation Plant but also the Geothermal Project which had never been discussed before. He indicated if the Board took the time to consider the progress Bartlett, Pontiff, Stewart & Rhodes, P.C. had made thus far to the benefit of the County in relation to anything concerning Westmount Health Facility or anything concerning Siemens, they would have a difficult time pinpointing anything. He mentioned he was not opposed to the County expending funds for these services, but rather to them being expended with a specific firm; therefore, he said, it would be his suggestion to not only request a roll call vote on the proposed resolution but also to amend it to allow the selection of a firm to be discussed further in particular since to his knowledge this matter had not been discussed by a Committee.

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In reference to proposed Resolution No. 300, Mr. Whitehead suggested the Board hold off on making a decision until Supervisor Strough presented his data regarding what the economic benefits of the runway extension were, as he would be interested in reviewing them. He added it may be construed as premature of them to move forward with a vote without first reviewing this data. He commented he would be interested in seeing whether any data was presented that depicted an incremental benefit should the runway be extended, as to his knowledge none had ever been provided. He stated the issue today involved the County taking on the lead agency status in SEQRA Process for the Project, which was a very important role, as no one could overrule the conclusions of the lead agency unless a private citizen commenced a lawsuit. He mentioned he could go on for hours and try and change their minds about moving forward with this resolution but he knew he would not be permitted the time nor would be successful in changing anyone's mind, which was where the problem originated from. He continued, they could have their opinion as to whether or not they wanted the runway extended but under SEQRA the County was required to weigh the economic and social benefits of that versus the environmental impact and it had to be fair because if they were not fair than they were not doing the job required of them. He informed the law stated that in cases where Class 1 Wetlands were involved there must be a compelling social and economic benefit present which was further defined when the permits for the latest work were issued which stated a compelling definition that the Project was necessary and that there were no alternatives available. He continued, not only was a requirement missing in this case, there was also no compelling reason, as the extension would only prevent a few flights per year from having to stop and refuel in order to reach their final destination which would have to be an incredible distance, such as to Europe. He pointed out this was the only reason that had been put forward as the purpose of extending the runway. He reiterated his request that they hold off on making any decisions until they could review the information Supervisor Strough was working on and second to consider the responsibilities the County would have under SEQRA.

Chairman Geraghty inquired whether there was a formal request to enter into executive session to discuss the contract for health insurance broker services further and Supervisor Seeber responded she would be happy to make a motion if that was the pleasure of the Board to assist them with making an informed decision.

Motion was made by Supervisor Seeber and seconded by Supervisor Brock to enter into executive session.

Mr. Weber requested that he be allowed to provide for the record a brief overview of their working history with the County prior to the executive session, as he was aware of the fact some members of the Board were not present during the meeting when the decision was made to recommend moving forward with Jaeger & Flynn Associates, Inc. He apprised he founded Capital Financial over forty years ago and had worked in the healthcare field prior to any other companies within this region. He informed that last year the County's health insurance costs increased 3.9% because at that point they were working toward a five year -5% renewal. He said this plan was organized by and continuously reviewed by them; he noted although last year saw an increase, this year they were able to achieve a decrease of -6.5%. He said there was a large reserve built up to allow for the County to move toward "ASO" which included a four year guarantee that called for no more than a 4% increase over the next four years because of the reserve. He mentioned his company built up the reserve account to \$2 million in one year because of the wellness program and other measures they had put into place. He pointed out it was necessary to have a large reserve in place in order to prevent spikes in health care costs from occurring, as it could just as easily be depleted by \$2 million in one year. He indicated they answered over 1,200 phone calls on an annual basis from current and retired County employees and had never received any complaints or grievances regarding the service they provided. He informed they had a good working relationship with the Unions, as well as the retired employees. He noted that over 50%

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of Capital Financial's employees were residents of Warren County. He said their company was owned by the Glens Falls National Bank. He indicated over the last few years they had commenced using the RFP process for health care to ensure they garnered the lowest possible rate they could. He added it was through this process they were able save the County a significant amount of money over the last few years. He commented they were working with the County on becoming "ASO" just as they had been able to do with the prescription program. He stated their organization was working on creating an immunity co-op within the North Country which Warren County would have been a valuable part of. He stated he was unclear what other direction the County could be going in since they had been very creative during their time servicing the County and instituted a number of changes from which the County benefitted from. He questioned why the fees that Capital were charging for their services was placed within the RFP that was distributed to all the health insurance brokers, as he did not believe their fee which had remained at 1.4% for twelve years should have been given out when the County was asking for brokers to provide a price for their services. He thanked the Board for their time and said he appreciated the work they had been able to do for the County for a number of years. He assured them they would ensure the transition to the new company went as smooth as possible because they were a local company that was proud to have represented the County for a number of years.

Chairman Geraghty noted a motion was on the floor to enter into executive session. He called the question and the motion was carried by majority vote to enter into executive session to discuss matters leading to the appointment of a particular firm, pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 11:22 a.m. until 11:42 a.m.

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

Chairman Geraghty announced that Supervisor McDevitt had requested a roll call vote on proposed Resolution No. 318.

Supervisor Montesi stated he would like to recuse himself from voting on the resolution that concerned the Elks Club. Chairman Geraghty advised Supervisor Montesi he could do so during the roll call vote on that particular resolution by abstaining.

Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 278-318 were approved as presented, with the exception of Resolution Nos. 300 and 318 which failed due to the lack of the required simple majority vote.

During the roll call vote on Resolution No. 318, Supervisor Seeber remarked that it appeared they would have to vote in favor of moving forward with authorizing Bartlett, Pontiff, Stewart & Rhodes, P.C. to include the Geothermal Project as part of their negotiations with Siemens in order to receive and update on the progress that had been made which she was uncomfortable with; Mr. Reichenbach interjected that this was not the case.

Chairman Geraghty called for any public comment.

Supervisor Seeber inquired whether she could formally request that another Board meeting be scheduled during the evening before the end of the year and Chairman Geraghty responded that his desire was to schedule the Special Board meeting that took place in early November to review the Tentative County Budget for next year during the evening hours. Supervisor Seeber interjected that she would like to see a regular Board Meeting scheduled in the evening, as well.

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Supervisor Seeber advised she was disappointed that she was going to miss participating in the Governor's Challenge this year; she noted she felt it would be a great experience for those who were participating this year and she looked forward to seeing their pictures.

Supervisor Braymer stated that she was aware that she and Supervisor MacDonald were attending the Governor's Challenge this Sunday in Indian Lake.

Supervisor Simpson informed that Supervisor Sokol had requested that he announce there would be a tour of Countryside Adult Home for the Supervisors on Wednesday, July 20<sup>th</sup> at 2:00 p.m., as well as the fact that the annual Summer Youth Awards Ceremony/Picnic would take place on August 18<sup>th</sup> at the Crandall Park Pavilion at noon and encouraged all to attend. Supervisor Simpson apprised he, as well, would be participating in the Governors Challenge.

Chairman Geraghty announced the Smoke Eaters Jamboree was scheduled for July 29-30, 2016 in the Town of Warrensburg and he encouraged all to attend.

Supervisor Wood informed a meeting was scheduled for July 26, 2016 at the Crandall Public Library at 5:00 p.m. to discuss the potential change in the 518 area code. She stated the first option being discussed would not impact existing phone numbers but would require new ones to receive a new area code. She apprised the other option was to divide the current geographic area into two areas, with all numbers assigned in southern area required to use a new area code.

Mr. Whitehead read aloud excerpts from an FBI interview conducted April 10, 2014 which included responses made by Paul Dusek, *former County Administrator*, with regard to the investigation concerning Siemens and the Co-Generation Project which basically indicated Mr. Dusek did not have a thorough understanding of the Energy Project and had not recommended an independent engineering review of the savings promised because he had relied upon the information provided by Siemens based on their status as a large international company and their prior experience of having made payments to Saratoga County for a shortcomings in their contract at Maplewood Manor and if he could go back he would have recommended moving forward with the independent engineering review. He stated he had the opportunity to attend a meeting this morning regarding the selection of an engineering firm to perform this review but he withdrew himself because the Board still had a member whom he considered to be an "old guard member" who still felt outside consultation on their specialties.

Dr. James A. Seeley, *Executive Director of Cornell Cooperative Extension*, announced that Cornell Cooperative Extension would be holding their second Chainsaw Safety Training on Thursday, July 21<sup>st</sup> from 1:00 p.m. until 3:00 p.m. He stated Amy Clute, *Self-Insurance Administrator*, had attended the first training they offered and felt it was an excellent program. He encouraged anyone who used a chainsaw or had employees that did to attend, as this was a free training and could prevent future injuries from occurring.

Supervisor McDevitt informed he had attended a good portion of the meeting this morning regarding the selection of an engineering firm to perform an independent analysis on the Geothermal Project. He said he felt the Committee had made great progress and was moving in the right direction and would hopefully come to a conclusion by their next meeting.

Supervisor Thomas inquired whether this was an advertised meeting, as he was not aware of any meetings that were scheduled for this morning. Supervisor Girard apprised that this was a meeting of the Sub-Committee which came about from the County Facilities Committee with the purpose of

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reviewing the responses to the RFP that was transmitted. Chairman Geraghty this was a working committee that consisted of individuals who volunteered their time.

Supervisor MacDonald announced the Take A Bite event would be held next Wednesday in the downtown area of the City of Glens Falls and he encouraged all to attend.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Frasier and seconded by Supervisor Simpson, Chairman Geraghty adjourned the Board Meeting at 12:02 p.m.