

CONDENSED MINUTES  
MONTHLY BOARD MEETING  
MARCH 16, 2018

Fort Edward, New York, Friday, March 16, 2018.

The Board of Supervisors convened in regular session at 10:00 AM at the County Office Building, Fort Edward, New York pursuant to Rule 1 of Rules of said Board.

CHAIRMAN HENKE called the meeting to order and presided.

CHAIRMAN HENKE offered the prayer.

Mr. O'Brien led the Pledge of Allegiance to the Flag and read the Fire Safety Notice.

The Clerk called the roll:

PRESENT: 16 Henke, Fedler, Ferguson, Shaw, Moore, Middleton, Hicks, Idleman, O'Brien, Haff, Campbell, Skellie, Hogan, LaPointe, Clary, Rozell

ABSENT: 1 Shay

The condensed minutes of the February 16, 2018 meeting were accepted as mailed.

The Clerk read the communications.

A motion to accept the March Audit Report, was moved by Mr. Moore, seconded by Supervisors Middleton, Hogan, Clary, Rozell and adopted.

CHAIRMAN HENKE announced a proclamation issued recognizing National Crime Victims' Rights Week April 8 – 14, 2018. CHAIRMAN HENKE recommended Supervisors attend the Crime Victims' breakfast ceremony on April 9<sup>th</sup>.

Introductory Local Law "B" of 2018 – A Local Law Establishing Residency Requirements for Washington County Deputy Sheriffs and Correction Officers, was introduced.

CHAIRMAN HENKE asked if any Supervisor had any request for Supervisors' Privilege of the Floor. There were no requests.

CHAIRMAN HENKE asked that the resolutions be introduced. A motion to set aside the rules to present Resolution No. 84, 88, moved by Mr. O'Brien, seconded by Mrs. Fedler and adopted.

Resolution No. 69 March 16, 2018 By Supervisors Idleman, Skellie, Campbell, Moore, Middleton, Clary – TITLE: Authorizing Out of State Travel for Veteran Services Director and Deputy Director.

Resolution No. 70 March 16, 2018 By Supervisor Henke – TITLE: Appointment to the Washington County Agricultural and Farmland Protection Board.

Resolution No. 71 March 16, 2018 By Supervisors Hicks, Hogan, Haff, O'Brien, Moore, Clary – TITLE: Set Time and Place for a Public Hearing on Introductory Local Law “B” of 2018.

Resolution No. 72 March 16, 2018 By Supervisors Idleman, Skellie, Campbell, Moore, Middleton, Clary – TITLE: To Appoint Member to the Office for the Aging Advisory Council.

Resolution No. 73 March 16, 2018 By Supervisors Fedler, Shay, Campbell, Haff, Hicks, Skellie, Rozell – TITLE: To Award Bid for Tree Removal Services; Department of Public Works.

Resolution No. 74 March 16, 2018 By Supervisors Hicks, Fedler, Idleman, O'Brien, Hogan – TITLE: Amend Staffing Pattern – Information Technology.

Resolution No. 75 March 16, 2018 By Supervisors Hicks, Fedler, Idleman, O'Brien, Hogan – TITLE: Amend Employee Handbook – Section #7.003 – Sick Time – Long Term.

Resolution No. 76 March 16, 2018 By Supervisors Hicks, Fedler, Idleman, O'Brien, Hogan – TITLE: Amend Employee Handbook – Section #7.008 – Health Insurance.

Resolution No. 77 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: To Endorse Concept of the Champlain Hudson Power Express Power Line.

Resolution No. 78 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: Amend 2018 Budget and Contracts to Allow the Pass-Through of 100% State Aid.

Resolution No. 79 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: Amend Budget Capital Project #123 – Public Safety Microwave & Equipment Upgrades.

Resolution No. 80 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: Amend 2018 Budget and Exempt Salary Schedule – District Attorney – Unfunded Mandatory Salary Increase.

Resolution No. 81 March 16, 2018 By Supervisor LaPointe – TITLE: Resolution Opposing Governor Cuomo’s Proposal Contained in the 2018 Budget Review Bill to Change the Law Regarding Taxation of State Forest Preserve Lands from the Current Locally Assessed System to a Payment in Lieu of Taxes (PILOT) System Administered and Controlled Solely by the State of New York.

Resolution No. 82 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: To Implement Succession Plan in Veteran’s Affairs Department.

Resolution No. 83 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: Resolution Declaring the Intent of the Washington County Board of Supervisors to Act as Lead Agency.

Resolution No. 84 March 16, 2018 By Supervisor Henke – TITLE: To Request the Legislature of the State of New York to Pass A2176/S2255 Pertaining to Instituting Additional Mortgage Recording Tax.

Resolution No. 85 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: Authorize the Chairman of the Board of Supervisors to Sign Contracts for Employee Health Care and Dental Plans.

Resolution No. 86 March 16, 2018 By Supervisors Shaw, Campbell, Shay, Idleman, Haff, Hicks, O'Brien, Skellie, Hogan – TITLE: Authorize Retroactive Pay for DSS Supervisors for On-Call Duties.

Resolution No. 87 March 16 2018 By Supervisors Skellie, Shay, Moore, Rozell – TITLE: To Authorize Agreement with Hudson Valley AgriBusiness Development Corporation (HVADC) for 2018.

Resolution No. 88 March 16, 2018 By Supervisor Shaw – TITLE: To Award the County's Audit Services to EFPR Group, CPA's, PLLC and Authorize the Chairman to Sign Those Documents Required to Retain These Services.

The Board went on to consider the resolutions.

Resolution No. 69, moved by Ms. Idleman, seconded by Supervisors Fedler, Moore, Middleton, O'Brien, Skellie, Clary and adopted.

Resolution No. 70, moved by Chairman Henke, seconded by Supervisors Moore, Middleton, Shaw, Skellie and adopted. Mrs. Fedler abstained.

Resolution No. 71, moved by Mr. Hicks, seconded by Supervisors Fedler, Moore, Campbell, Hogan, Clary and adopted.

Resolution No. 72, moved by Ms. Idleman, seconded by Supervisors Fedler, Moore, Middleton, Campbell, Skellie, Clary and adopted.

Resolution No. 73, moved by Mrs. Fedler, seconded by Supervisors Campbell, Skellie, Rozell and adopted. Mr. Moore opposed.

Resolution No. 74, moved by Mr. Hicks, seconded by Supervisors Fedler, Middleton, Idleman, O'Brien, Hogan and adopted.

Resolution No. 75, moved by Mr. Hicks, seconded by Supervisors Fedler, Campbell. CHAIRMAN HENKE asked for discussion. Mr. Shaw stated that since this came out of committee, there has been a lot of questions and concerns and recommends tabling this resolution to allow more discussion in committee. A motion to table Resolution No. 75, moved by Mr. Shaw, seconded by Supervisors Middleton, Idleman, Hogan, Clary, Rozell and adopted. Supervisors Fedler, Hicks opposed.

Resolution No. 76, moved by Mr. Hicks, seconded by Supervisors Fedler, Campbell and adopted.

Resolution No. 77, moved by Mr. Shaw, seconded by Supervisors Fedler, Middleton, O'Brien, Campbell, Skellie, Hogan and adopted.

Resolution No. 78, moved by Mr. Shaw, seconded by Supervisors Fedler, Idleman, Skellie, LaPointe, Clary and adopted.

Resolution No. 79, moved by Mr. Shaw, seconded by Supervisors Fedler, Campbell, Skellie and adopted.

Resolution No. 80, moved by Mr. Shaw, seconded by Supervisors Ferguson, Campbell, Moore, Fedler, Hogan, LaPointe, Rozell. CHAIRMAN HENKE asked for discussion. Mr. Shaw stated an amendment is needed to this resolution and asked the County Administrator to explain. He added that each Board member has a copy of the proposed amendment on their desks. Administrator DeBolt explained that at the Finance meeting, he was using estimates from NYSAC on what the DA's salary would be as of April 1, 2018. After the Finance meeting, he received an email from NYSAC with the actual calculation from the NYS Commission on Legislative, Judicial and Executive compensation indicating the salary should be \$197,000. The proposed amendment reflects amending the salary to the new amount and adjusts the budget amendment accordingly. A motion to amend Resolution No. 80 amending the District Attorney's salary to \$197,000 effective April 1, 2018 and increasing the amount of the budget amendment from \$9,600 to \$13,600, moved by Mr. Shaw, seconded by Supervisors Fedler, Moore, Campbell, Rozell and adopted. Supervisors Haff, Middleton opposed. Resolution No. 80, moved by Mr. Shaw, seconded by Supervisors Ferguson, Campbell, Moore, Fedler, Hogan, LaPointe, Rozell and adopted, as amended, by the following roll call vote:

AYES: 14 Henke, Fedler, Ferguson, Shaw, Moore, Hicks, Idleman, O'Brien, Campbell, Skellie, Hogan, LaPointe, Clary, Rozell

NOES: 2 Middleton, Haff

ABSENT: 1 Shay

AYES: 3,402 NOES: 614 ABSENT: 244

Resolution No. 81, moved by Mr. LaPointe, seconded unanimously and adopted.

Resolution No. 82, moved by Mr. Shaw, seconded by Supervisors Fedler, Middleton, Idleman, Skellie, Hogan and adopted by the following roll call vote:

AYES: 16 Henke, Fedler, Ferguson, Shaw, Moore, Middleton, Hicks, Idleman, O'Brien, Haff, Campbell, Skellie, Hogan, LaPointe, Clary, Rozell

ABSENT: 1 Shay

AYES: 4,016 ABSENT: 244

Resolution No. 83, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, O'Brien, Campbell, Skellie, Hogan and adopted.

Resolution No. 84, moved by Chairman Henke, seconded by Supervisors Fedler, Idleman, O'Brien, Campbell, Skellie. CHAIRMAN HENKE asked for discussion. CHAIRMAN HENKE stated that this just came up yesterday and he would have preferred to bring this through committee, explaining that the Board must pass this home rule resolution in order for the state legislature to consider changing our tax status. He received a call from Assemblyman Stec's office saying we needed to pass this right away and that is why he put this resolution forward. Mr. Shaw reminded all the Supervisors that this is related

to financing that we incurred. Chris DeBolt, Administrator stated that a few years ago, SUNY Adirondack came to us with plans for the new NSTEM building on their campus. We are a sponsor county for the college so when they do a capital project, we split the capital costs with Warren County based on the total assessed valuation between the two counties. After much discussion, both counties decided to go forward and we took out a BAN to cover our portion of the construction costs. When the numbers were run, it turns out that our debt service on the BAN equals almost identically what that additional quarter percent in mortgage tax would bring in and use on a community college is an allowable use under state law. The solution brought forward was to ask the state legislature for parity with the other upstate counties. Discussion ensued. Resolution No. 84, moved by Chairman Henke, seconded by Supervisors Fedler, Idleman, O'Brien, Campbell, Skellie and adopted by the following 2/3 roll call vote:

AYES: 15 Henke, Fedler, Ferguson, Shaw, Moore, Middleton, Hicks, Idleman, O'Brien, Campbell, Skellie, Hogan, LaPointe, Clary, Rozell

NOES: 1 Haff

ABSENT: 1 Shay

AYES: 3,664 NOES: 146 ABSENT: 214

Resolution No. 85, moved by Mr. Shaw, seconded by Supervisors Fedler, Middleton, Campbell, LaPointe, Rozell and adopted.

Resolution No. 86, moved by Mr. Shaw, seconded by Supervisors Fedler, Idleman, Skellie, Campbell. CHAIRMAN HENKE asked for discussion. Mr. Shaw noted that the total impact for this retroactive pay resolution is \$150 and is in the budget. Resolution No. 86, moved by Mr. Shaw, seconded by Supervisors Fedler, Idleman, Skellie, Campbell and adopted by the following roll call vote:

AYES: 16 Henke, Fedler, Ferguson, Shaw, Moore, Middleton, Hicks, Idleman, O'Brien, Haff, Campbell, Skellie, Hogan, LaPointe, Clary, Rozell

ABSENT: 1 Shay

AYES: 4,016 ABSENT: 244

Resolution No. 87, moved by Mr. Skellie, seconded by Supervisors Fedler, Moore, Middleton, Idleman, Campbell, Rozell and adopted. Mr. Haff opposed.

Resolution No. 88, moved by Mr. Shaw, seconded by Supervisors Fedler, Campbell, Rozell. CHAIRMAN HENKE asked for discussion. Mr. Shaw stated that not enough information was available at the Finance meeting to thoroughly vet this decision and asked the Administrator to answer any questions the Board may have. Mr. DeBolt stated this was an RFP for a potential three-year contract and the resolution in front of the Board awards to the lowest respondent. This represents a total savings of \$36,250 over three years compared to the proposal submitted by the County's current audit firm. This proposal includes travel costs and their references were checked out and the Treasurer was satisfied. Resolution No. 88, moved by Mr. Shaw, seconded by Supervisors Fedler, Campbell, Rozell and adopted.

CHAIRMAN HENKE asked for Supervisors' comments. Mrs. Fedler acknowledged that the Cambridge girls basketball team is playing in the state semi-finals today at 10:00 AM and wished them luck. She also acknowledged the loss of Dick O'Hearn who passed away, to the communities of Cambridge and White Creek. Ms. Idleman recognized George Bell and stated his death will be a huge loss to the community of Greenwich. She also recognized a Greenwich elementary student, Caroline Kelly, who participated in a pi contest and was able to recite pi to 500 numbers. CHAIRMAN HENKE noted the Board had a couple of votes on unfunded mandates today and if we want to vote against unfunded mandates, the Board has to go against the law of the land and puts legislatures such as ourselves in a very odious position.

Mr. Shaw announced the adjournment of the meeting at 10:48 AM.

*Respectfully submitted,*

*Sandy Huffer, Deputy Clerk*