

## NEWS RENNELAER COUNTY LEGISLATURE

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News Conference August 13, 2007  
10:30 AM, RCL Troy

### Legislator Calls for Public Hearing on Surprise \$180,000 Settlement

Democratic Rensselaer County Legislator Kevin Harrington, member of the County Judiciary and Public Safety Committee, is calling for a Public Hearing to have a full and transparent airing of the facts surrounding a surprise Friday afternoon announcement of a settlement involving former County Executive Henry Zwack and his successor Kathy Jimino which will cost taxpayers \$125,000 and our insurance carrier another \$60,000. According to the Troy Record new evidence was presented that casts doubt on the innocence of Judge Zwack and County Executive Jimino in this case.

#### In September 2006:

*"Logic dictates we don't pay him \$110,000 for something we don't believe," Mirch said. He said Jackson was not fired, he served at the pleasure of the sitting county executive and simply wasn't reappointed. He's not entitled to anything."*

#### On Friday, August 10, 2007:

*"We were presented with the updated facts and the decision we made was in the best interest of the county," said the Legislature's Majority Leader Bob Mirch. "If this were to go to trial, the loss to the county could be substantial because you never know what a jury would do."*

County Legislator Harrington stated that news of the settlement and the new damaging evidence was a shock since not a word of it was mentioned at the recent Judiciary Committee meeting. The proposed settlement resulted from a \$1.85 Million Federal lawsuit filed by a highly respected former county employee, Jeff Jackson, who headed the county's Property Tax Services Department under Henry Zwack. "He dared to speak out against some of the actions of the county executive at the time, Henry Zwack, and for that he may have been dismissed by Zwack's successor, Kathy Jimino", stated Harrington.

"I am appalled that Republicans would rather force taxpayers to settle and shell out over a hundred thousand dollars in "hush money" rather than expose Henry Zwack and Kathy Jimino to testifying in a public court room under oath", stated Harrington. Taxpayers deserve a full accounting of the facts and we as legislators have a responsibility to hold the executive branch accountable, not help them sweep embarrassing and illegal conduct under the rug with the surprise settlement.

Legislators said they expect the GOP to attempt to push this through at Tuesday's meeting and Democrats will not only oppose this effort, but demand a public hearing in which both Zwack and Jimino testify in public.

For background go to or read following:

[http://www.troyrecord.com/site/news.cfm?newsid=18690728&BRD=1170&PAG=461&dept\\_id=7021&rfi=6](http://www.troyrecord.com/site/news.cfm?newsid=18690728&BRD=1170&PAG=461&dept_id=7021&rfi=6)

8/11/2007 City settles lawsuit with former employee

By: James V. Franco, The Record

TROY - Rather than risk a trial, Rensselaer County decided to settle a \$1.85 million federal lawsuit filed by a former longtime employee who claimed he was not re-appointed because he publicly bashed policy changes made by his then boss County Executive Henry Zwack. Jeffrey Jackson's trial was set to start Monday in front of U.S. Magistrate Randolph Treece but all sides agreed to settle for \$180,000. The county will cough up \$125,000 while the insurance company will pick up the balance. The Legislature is expected to approve the deal at a future meeting.

"We were presented with the updated facts and the decision we made was in the best interest of the county," said the Legislature's Majority

Leader Bob Mirch. "If this were to go to trial, the loss to the county could be substantial because you never know what a jury would do." Jackson worked for the county for more than 27 years, 11 as the director of Property Tax Services Department. In 2000, he publicly criticized Zwack for reorganizing his department and claimed in his lawsuit that County Executive Kathy Jimino did not reappoint him in 2002 as a favor to Zwack, now a Court of Claims judge.

Zwack, who stepped down in 2001 amid legal problems of his own, could not fire Jackson, who serves at the pleasure of the county executive, because like a few positions in county government it calls for the appointee to serve a set term.

Chris Mayer, a spokesman for Jimino, said he did not want to comment until the Legislature approves the agreement.

On Thursday, Jackson's attorney, Peter Henner, sent an e-mail saying that he expected Jimino, Zwack, who a judge removed as a defendant, and county Attorney Robert Smith to testify.

"Mr. Jackson alleges that his employment with Rensselaer County was terminated after 27½ years because he spoke out regarding the failure of Rensselaer County to comply with state law and because of his public disagreements with former County Executive Henry Zwack," Henner said in the e-mail.

The claim revolved around the county violating Jackson's freedom of speech because he said he was not reappointed for speaking out against his boss.