

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MAY 21, 2010**

The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:15 a.m.

Mr. Frederick Monroe presiding.

Salute to the flag was led by Supervisor Belden.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Belden, Bentley, Goodspeed, McCoy, Stec, Strainer, Champagne, VanNess, Sokol, Thomas, Pitkin, and Geraghty - 19.

Absent: Supervisor Merlino - 1.

Motion was made by Mr. Belden, seconded by Mr. Taylor and carried unanimously, to approve the minutes of the April 16, 2010 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Monroe requested Christie Sabo, Director of the Office for the Aging, and Supervisors Pitkin and Conover to come forward for a presentation of certificates. Mr. Pitkin presented the certificate award for Outstanding Contribution by a Senior to Kathy Binder. The board members responded with applause. Mr. Conover presented the award for Senior of the Year to Anita Richards. The board members responded with applause. Chairman Monroe pointed out that a proclamation was included in the Supervisors packets declaring the month of May as Older Americans Month.

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

Supervisor Belden, Public Works; Supervisor Kenny, County Clerk-Motor Vehicles and Gaslight Village Ad Hoc; Supervisor Taylor, Planning & Community Development; Supervisor Girard, Extension Services; Supervisor Pitkin, Social Services; Supervisor Thomas, County Facilities and Personnel; Supervisor Sokol, Health Services; Supervisor VanNess, Public Safety; Supervisor Champagne, Community College; Supervisor Strainer, Human Services; Supervisor Stec, Finance; and Supervisor Goodspeed, Real Property Tax Services.

Regarding the Public Works Committee, Mr. Belden advised the Committee discussed the Solid Waste and Recycling Plan at great length. Chairman Monroe commented that it was very important for all of the Town Supervisors to be aware of this because in order for the County to determine what direction to take with solid waste, it would depend on the towns' decisions as to whether or not they wanted to stay together to try and achieve the lowest price. Mr. Belden stated that the Committee had authorized William Lamy, DPW Superintendent, to expend up to \$500,000 in CHIPS (Consolidated Highway Improvement

Projects) funding to continue highway projects; he added that the Committee met again this morning and authorized that the entire \$1.4 million anticipated in CHIPS funding could be utilized and if the reimbursement was not received, the County would obtain additional bonds to cover the costs. Under the Parks, Recreation & Railroad portion of the meeting, Mr. Belden announced that the RFP (Request for Proposal) for the railroad operator contract would be released by the fall. Paul Dusek, County Attorney/Commissioner of Administrative & Fiscal Services, interjected that the County was awaiting the release of the freight rights in the Town of Corinth in order to release the revised RFP.

In connection with the County Clerk-Motor Vehicles Committee, Mr. Kenny reported the meeting consisted mainly of housekeeping items. He apprised that the Gaslight Village Ad Hoc Committee had met and discussed the potential compromise proposal offered by the Village of Lake George pertaining to the buildings located on the property; said proposal was accepted by the Village Board and the Town Board had rejected that proposal. Chairman Monroe provided an update on the Gaslight Village project and the demolition schedule. He noted that due to the delay in the State budget, funding was currently not available for the demolition or the environmental project; however, he said, the hope was that the funding would be secured by August in order to proceed with the project.

With regard to the Planning & Community Development Committee, Mr. Taylor reported that under the Economic Development Corporation (EDC) portion of the meeting, the Committee had been advised of the success of the Annual EDC Luncheon, which attracted two hundred thirty people and was sponsored by nineteen different businesses. He added that under the Planning & Community Development portion of the meeting, the Committee approved the appointment of a member to the Planning Board, which was included in the resolution packet. Mr. Taylor noted discussions were held pertaining to the possible elimination of area and use variances, as well as discussion about an Affordable Housing grant award in the amount of \$120,000 which would initiate the Housing Cost Coordinator to search for potential clients. He advised that the Planning & Community Development Department submitted an application to the Housing Trust Fund Corporation for Small Cities Community Development Block Grant funding in the amount of \$575,591 for the installation of the sprinkler system at Westmount Health Facility. He said that the Department also assisted the Town of Johnsburg with the editing and packaging of an application for construction of an EMS building. Mr. Taylor stated that the duties of the First Wilderness Heritage Event Facilitator had commenced and reminded the board members that the position was 100% grant funded for three years.

Mr. Girard expounded that Ann Kokosa, Educator with Cornell Cooperative Extension, had retired and he expressed his appreciation for Ms. Kokosa's dedicated service and wished her well in retirement.

Mr. Geraghty announced that the County had received approximately \$40,000 from the Capital District Off-Track Betting Corporation for the stipend for the year.

Concerning the Social Services Committee, Mr. Pitkin advised the Committee was informed of significant increases in the Food Stamp, Medicaid and Child Protective Services programs, due to the existing economic conditions. He added discussions continued on the housing of sex offenders in local motels and permanent solutions were being researched. Under the Countryside Adult Home portion of the meeting, Mr. Pitkin reported Resolution No. 369 included in the packets was generated and authorized the use of a grant to obtain a ten passenger vehicle for the Facility. He added that Resolution No. 370 was also resultant of the meeting and authorized the hiring of a full time Activities person for Countryside Adult Home; however, he said, he would request that it be amended to include a sunset clause that stated the position would end when grant funding was eliminated.

Motion was made by Mr. Pitkin, seconded by Mr. Belden and carried unanimously to amend Resolution No. 370 of 2010 as outlined above.

Mr. Thomas expounded that although the County Facilities Committee did not meet last month, Resolution No. 382 in the packets authorized the Chairman to execute NYSEDA (New York State Energy Research and Development Authority) documents relating to Novus Engineering, PC's commissioning services for the Human Services Building. Regarding the Personnel Committee, he stated the Committee approved a transfer of funds for the Personnel Office to cover retirement costs. He advised that the Committee also approved the introduction of proposed Local Law No. 3 of 2010 which established the position of County Administrator and Resolution No. 368 in the packets would set the public hearing for such. Mr. Thomas reported that three resolutions were adopted yesterday at the Intercounty Legislative Committee of the Adirondacks. He explained two resolutions were from Fulton County concerning Leandra's Law and requesting the delay of implementation of the Law for two years until a funding source was determined. He requested that matter, and aforementioned resolutions, be referred to the Criminal Justice Committee for further discussion.

Mr. Goodspeed recalled that the Board of Supervisors had requested Mr. Dusek to determine the viability of a class action lawsuit pertaining to State mandates and he questioned the status of that. Mr. Dusek responded the problem was that there was not a uniformity in the way that mandates were released which made it difficult to prepare a class action. He concluded that he would continue to research the mandates that made the most sense to challenge.

In connection with the Health Services Committee, Mr. Sokol apprised under the Westmount Health Facility portion of the meeting, Resolution No. 350 was generated which authorized charging off bad debt totaling \$116,000. He added Resolution No. 343 amended

the 2010 County budget to increase estimated revenues and appropriations in the amount of \$144,000 due to an accounting error. He reiterated that there was a shortage of nursing staff; however, he said, it appeared that two per diem CNA's at Westmount Health Facility may become permanent staff members. Mr. Sokol stated that the Health Services Department had completed a salaries comparison report from last year to the present which reflected a decrease in expenditures of approximately 9% and a decrease in salaries of approximately 21%, all of which was attributed to the Point of Care System.

With regard to the Public Safety Committee, Mr. VanNess reported the meeting consisted mainly of housekeeping issues. He announced that Chief Deputy Shane Ross had retired from the Sheriff's Office after approximately twenty-nine years of dedicated service. He noted that Sheriff York had decided not to fill the vacated position, thereby realizing a savings of \$124,000 to the 2011 County budget. Mr. VanNess requested a roll call vote on Resolution No. 372, Authorizing an Intermunicipal Agreement Between Warren County and the Lake George Park Commission for the Rebuilding of the Sheriff's Dock.

Relative to the Community College Committee, Mr. Champagne advised Resolution No. 364 included in the packets supported the Adirondack Community College Capital Investment Improvement Projects for 2010 and added that the required 50% local share were chargeback dollars. He reminded the board members that the County was required to prepare a 2010 Solid Waste Plan and the cooperation of each and every Town Supervisor was needed to accomplish that.

Concerning the Human Services Committee, Mr. Strainer stated that under the Employment & Training Administration (ETA) portion of the meeting, the Committee was informed that the Summer Youth Job Program had limited funding. He reported that William Resse, Director of ETA, had announced his retirement was forthcoming and a replacement Director would need to be selected. With regard to Veterans' Services, he said, Resolution No. 345 in the packets authorized the purchase of a Veterans Information Management System, allowing for records to be maintained electronically. Mr. Strainer added that the Office for the Aging would be hosting the Senior Picnic on June 17, 2010 at the Elk's Club and volunteers were needed to assist with the cooking.

Regarding the Finance Committee, Mr. Stec highlighted the resolutions that were generated at the meeting as follows: Resolution No. 361 opposed the New York State Department of Environmental Conservation's (NYS DEC) closure of State roads; Resolution No. 362 was in opposition of Assembly Bill No. A9911 amending the Public Officers Law, in relation to requiring certain records which were the subject of a discussion conducted at an open meeting be made available to the public; Resolution No. 363 supported a temporary extension on the Enhanced Federal Medicaid Matching Funds provided under the American Recovery and Reinvestment Act (ARRA); Resolution No. 364 supported the Adirondack Community College (ACC) Capital Investment Improvement Projects for 2010, as discussed

by Mr. Champagne; Resolution No. 365 increased Capital Project No. H258.9550 280-Tannery Bridge over Stony Creek; Resolution No. 366 increased Capital Project No. H259.9550 280-Grist Mill Road Bridge over Stony Creek; and Resolution No. 380 which accepted a gift of property to ACC by the Michaels Group Holdings, LLC. Mr. Stec apprised he had requested Mr. Dusek and the Purchasing Agent to revisit the matter of reverse auctions that was presented to the board members in the past, in relation to the presence of Aeon Nexus in the City of Glens Falls. He explained the concept of reverse auctions for the benefit of the board, noting it could be a cost savings measure for the County.

Mr. McCoy announced the Town Board of Lake George had unanimously rejected the proposal submitted by the Village of Lake George regarding on outdoor pavilion on the Gaslight Village property and were continuing to work on an equitable compromise to bring a solution that all could agree upon.

In connection with the Real Property Tax Services Committee, Mr. Goodspeed apprised Resolution No. 360 included in the packets amended Resolution No. 506 of 2007 relative to the terms of sale for the auction procedure. He noted the Committee requested Mike Swan, Director of Real Property Tax Services, to explore payment methods for taxes, in particular to prepare a proposal for installment payments for real property taxes and the possibility of accepting credit card payments.

Chairman Monroe called for reading of communications.

Clerk read communications, including the following:

Minutes from:

- Warren/Washington Counties Industrial Development Agency;
- Warren County Planning Board;
- Community Services Boards Mental Health Subcommittee.

Monthly Reports from:

- Weights & Measures;
- Veterinarian;
- Probation.

Annual Reports from:

- Economic Development Corporation Warren County;
- Warren/Washington Counties Industrial Development Agency;
- Department of Social Services;
- Youth Bureau;
- County of Warren;
- Warren County Health Services.

Capital District Regional Off-Track Betting Corporation, March Surcharge in the amount of \$7,812, financial reports for January, February, March 2010, and audited financial statements for year ended 12/31/09.

Office of the New York State Comptroller, Federal Stimulus Program - Procurement for Local Highway Projects in the Capital Region.

Communications, resolutions and reports ordered placed on file.

Chairman Monroe called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 343 through 379 were mailed. She announced a motion was needed to bring Resolution Nos. 342 and 380 through 386 to the floor. Motion was made by Mr. Bentley, seconded by Mr. Thomas and carried unanimously to bring Resolution Nos. 342 and 380 through 386 to the floor.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 342 through 386 were approved. Proclamation for Older Americans Month, Mortgage Tax Report and Certificate of Appointment - Saratoga-Warren-Washington Counties Workforce Investment Board were submitted.

Chairman Monroe announced an executive session was needed to discuss the possible appointment of a particular person.

Mr. Kenny said prior to the executive session he would like to discuss with the board members the potential catastrophic event if the County were to lose the Americade event. He recognized Bill Dutcher, Organizer of Americade, was present today. He added that resultant of an independent study conducted, Americade contributed more than \$40 million every year to Warren County. He requested Mr. Dutcher to apprise the board members of the history of negotiations with the NYS DEC for the use of the Beach Road parking lot. Mr. Dutcher stated twenty years ago, it cost \$10,000 to rent the parking lot for Americade and as of last year the fee had increased to \$52,000. He said subsequent to negotiations this year, the cost to rent the parking lot for 2010 was \$71,000 and next year it would be \$86,000. He expressed his disdain with the difficulty in working with the State of New York. Mr. Dutcher assured that the first choice for Americade would be to remain in Warren County each year. A number of Supervisors voiced their frustration with the NYS DEC.

Motion was made by Mr. McCoy, seconded by Mr. VanNess and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk noted it would be Resolution No. 387 of 2010 for the record.

Motion was made by Mr. McCoy, seconded by Mr. VanNess and carried unanimously opposing the increase in fee assessed by the NYS DEC to Americade and requesting a long term agreement which would include a reasonable fixed fee for the use of the Beach Road parking lot. Clerk added it would be Resolution No. 388 of 2010 for the record.

Chairman Monroe reiterated the need for an executive session. Motion was made by Mr. Belden, seconded by Mr. McCoy and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:30 a.m. to 11:40 a.m.

The board reconvened. Pursuant to the executive session, motion was made by Mr. Geraghty, seconded by Mr. Pitkin and carried unanimously to appoint the Warren County Auditor. Clerk advised that the prepared resolution was distributed during the executive session and was Resolution No. 385 of 2010 for the record.

Chairman Monroe introduced Mary Gallagher, newly appointed County Auditor, to the board members and wished her success in her new position.

Sheriff York referred to the shooting that occurred a few weeks prior in which one Warren County Officer was wounded and two others were struck, and reported that the response by his staff was exemplary. The board responded with applause. Mr. VanNess added that the Officers involved in the incident would be recognized before the Board of Supervisors in the near future.

Dave Kenny, business owner and resident of Lake George, presented a petition to the Board of Supervisors signed by over forty motel owners in the Town and Village of Lake George in support of keeping the buildings on the Gaslight Village property, a copy of which is on file with the minutes.

There being no further business, on motion by Mr. Goodspeed and seconded by Mr. Champagne, Chairman Monroe adjourned the meeting at 11:45 a.m.