

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, MARCH 15, 2013**



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 10:07 a.m.

Mr. Kevin B. Geraghty presiding. Chairman Geraghty welcomed guests and dignitaries to this very special meeting of the Board of Supervisors, recognizing Warren County's 200th anniversary which occurred on March 12th and was celebrated with the ringing of church bells at 2:00 p.m. throughout the County.

Salute to the flag was led by Supervisor Sokol.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Frasier, Bentley, Vanselow, Dickinson, Merlino, Montesi, Mason, Strainer, Westcott, Sokol, Thomas, Wood and Geraghty - 20.

Motion was made by Mr. Strainer, seconded by Mr. Dickinson and carried unanimously, to approve the minutes of the February 15, 2013 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Geraghty pointed out proposed Resolution No. 124, *Resolution Cancelling Public Hearing for Local Law No. 5 of 2013 and Withdrawing Resolution No. 105 of 2013 (Local Law Entitled "A Local Law Superceding County Law Section 215 and Authorizing the Lease of a Portion of the Warren County Human Services Building in the Town of Queensbury without Public Advertisement or Auction")*; he advised that a public hearing was scheduled to be held that morning, but the decision was subsequently made to cancel it based on the indication received from the State that they were no longer interested in leasing space in the Human Services Building. Chairman Geraghty explained that proposed resolution No. 124 effectively cancelled the public hearing and withdrew the resolution that initially authorized it.

Chairman Geraghty then recognized Stan Cianfarano, President of the Warren County Historical Society, who was in attendance to introduce a slide show of photos to begin the program for Warren County's Proclamation Day, as part of the Bicentennial celebration. Mr. Cianfarano said he served as Chairman of the Citizens Advisory Committee for the Bicentennial celebration, as well, and he called for a show of hands to reflect the considerable number of Advisory Committee members in attendance. He prefaced the slide show by noting that all of the photos included were historic images submitted by members of the Citizens Advisory Committee and the Town Historians, as well as members of the general public. *Copies of the photos included in the slide show are on file in the Office of the Clerk of the Board and are also available on the Warren County Bicentennial website, www.warrenny200.com.*

At the conclusion of the slide show, Chairman Geraghty commended Mr. Cianfarano and the rest of the Citizens Advisory Committee for all of their hard work and dedication to the Bicentennial celebration. A round of applause was given.

Chairman Geraghty announced the next agenda item pertained to the presentation of proclamations commemorating the 200th Anniversary of Warren County. The first presentation, he said, would be made by Mark Streb, in representation of Governor Andrew Cuomo.

*WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013*

Mr. Streb began by expressing his appreciation for the invitation extended to himself and Governor Cuomo to attend in honor of Warren County's 200th Anniversary. He commented on the slide show, stating that it was an excellent presentation; with reference to a photo from the Adirondack Balloon Festival, Mr. Streb noted that he and Governor Cuomo had attended the last Festival, and although they had a wonderful time, the weather had been too windy for the balloons to launch. Mr. Streb stated that the Proclamation Day was a unique occasion in that it provided the opportunity to unite as a community with a common thread of appreciation and recognition in mind. He continued that this bonding commemorative day carried great significance to both the County and the State of New York and he said it was his esteemed pleasure to honor Warren County for its 200 years of committed service to the people of New York. From the hills and peaks of the Adirondacks to the flowing waters of Lake George and Lake Luzerne, Mr. Streb said the picturesque landscape of this area had attracted tourists from across the State and County; moreover, he added, the rich culture that the County had cultivated and maintained had made this area the international travel destination it had become. Mr. Streb advised that Governor Cuomo applauded the efforts of regional tourism which highlighted the best the State had to offer, and he said that while giving a deeper appreciation of our past, Warren County had embraced its history and natural beauty by providing attractions that put the State's heritage on display for the World to enjoy. On behalf of Governor Cuomo, Mr. Streb thanked Warren County for providing 200 years of service to residents and visitors alike, and he encouraged all New Yorkers and visitors to take advantage of the many enriching sites Warren County had to offer. In closing, Mr. Streb presented Chairman Geraghty with a citation from Governor Cuomo recognizing Warren County's Bicentennial Anniversary.

A round of applause was given.

Chairman Geraghty announced that the next presentation would be made by Dan Stec, Member of the New York State Assembly. Assemblyman Stec advised he was in attendance to present a Legislative resolution adopted by both the New York State Senate and Assembly which was signed by himself and Senator Betty Little; he added that regretfully, Senator Little had been unable to attend the meeting because she was traveling to attend her son's wedding. He said it was a pleasure to have Mr. Streb in attendance and he noted that Mr. Streb had served as a conduit to the Governor for the past few years and had done a remarkable job in that capacity; he added he was happy to see that the Governor had acknowledged Warren County on this historical occasion. Assemblyman Stec recognized Randy Douglas, Chairman of the Essex County Board of Supervisors, was in attendance, as well, and he stated that it was a privilege to represent both Essex and Warren Counties in the New York State Assembly. He then proceeded to read aloud the Resolution of Commemoration presented by the Senate and Assembly, which is on file in the Office of the Clerk of the Board of Supervisors. In conclusion, Assemblyman Stec provided a Legislative update, advising that the Legislature appeared to be on track to adopt an on-time budget and they were optimistic that it would be a good budget year for the State of New York. He added that they had some hurdles to overcome, but in spite of the current economic difficulties, he felt a reasonable State budget would be approved.

Proclamations congratulating Warren County on its Bicentennial Anniversary were also presented by the following:

- ✧ Mark Luciano, representative of Congressman Bill Owens;
- ✧ Randy Douglas, Chairman of the Essex County Board of Supervisors;
- ✧ Ben Driscoll, Councilman, City of Glens Falls (*Presentation of a Mayoral Proclamation naming March 15, 2013 to be Warren County Day in the City of Glens Falls, as proclaimed by City of Glens Falls Mayor John Diamond*);
- ✧ Supervisor Ronald Conover, Town of Bolton;

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

- ✧ Supervisor Frederick Monroe, Town of Chester;
- ✧ Supervisor Edna Frasier, Town of Hague;
- ✧ Supervisor Ron Vanselow, Town of Johnsburg;
- ✧ Supervisor Dennis Dickinson, Town of Lake George;
- ✧ Supervisor Eugene Merlino, Town of Lake Luzerne;
- ✧ Supervisor Ronald Montesi, Town of Queensbury;
- ✧ Supervisor Frank Thomas, Town of Stony Creek;
- ✧ Supervisor Evelyn Wood, Town of Thurman; and
- ✧ Chairman Geraghty, Town of Warrensburg.

Note: Subsequent to the Board meeting a proclamation was submitted by the Town of Horicon.

Chairman Geraghty announced that proclamations had also been received from the Village of Lake George and the Washington County Board of Supervisors. *All of the proclamations received are on file in the Office of the Clerk of the Board of Supervisors.*

Dr. Fredd Senser-Lee, PhD, Founder of Botanical Blossomings on the Bikeways-USA, offered congratulations to Warren County on behalf of himself and his fellow residents of the Village of South Glens Falls.

Continuing the agenda review with the report by the Chairman of the Board, Chairman Geraghty advised he had nothing to report and he called for reports from Committee Chairmen on the past months meetings or activities. The following reports were provided: Supervisor Sokol, Health Services; Supervisor Wood, Public Safety; Supervisor Conover, Finance; Supervisor Monroe, Legislative & Rules and Park Operations & Management (O&M); Supervisor Girard, County Facilities and Extension Service; Supervisor McDevitt, Mental Health; Supervisor Taylor, Economic Growth & Development, Personnel and Support Services; Supervisor Loeb, Social Services; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Bentley, report on discussions with the Kings School regarding construction of a railroad crossing; Supervisor Dickinson, Invasive Species Sub-Committee; Supervisor Merlino, Tourism and Department of Public Works (*Chaired Committee in Supervisor Bentley's absence*); Supervisor Strainer, Human Services and Community College.

Supervisor Sokol announced that it had been a very busy month for the Health Services Committee which had met on multiple occasions. With respect to the meeting held on March 4th, he said the Committee had received an update on the Westmount Health Facility's co-generation interest appeals for 2007-2012, during which time reimbursements were being provided based on the principal and depreciation amounts, rather than interest and principal amounts. Mr. Sokol advised that Maplewood Manor, another municipally managed nursing home owned by Saratoga County, had experienced a similar situation and had subsequently been awarded a ruling in their favor for reimbursements in accordance with interest and principal values. As a result of the appeal made by the Westmount Health Facility, Mr. Sokol advised that revised reimbursements would be made according to interest and principal values, with \$112,000 to be received for 2007 and \$103,000 for 2008, all of which they hoped to receive by the close of 2013. For the years spanning from 2009 - 2012, Mr. Sokol advised that they expected to receive \$500,000 to \$600,000 in reimbursements. He pointed out proposed Resolution No. 156 of 3013, *Authorizing the Administrator of Westmount Health Facility to Fill Vacant Positions of Cleaner #2, Cleaner #5, Laundry Worker #2, Laundry Worker #3, Leisure Time Activity Aide #2 (part-time), Senior Account Clerk #2, and Keyboard Specialist at Westmount Health Facility*, which sought to authorize filling of multiple vacant positions, most of which had been vacated due to retirement. Mr. Sokol noted that all of the positions listed were non-mandated, Union positions which received 52% reimbursement;

he further noted that the filling of these positions would result in a budgetary savings because the new employees would start at lower salary rates that did not include longevity allowances.

With respect to the proposed privatization of the Westmount Health Facility, Mr. Sokol advised they had been making some calculated moves in this direction and he said it was important to realize that the company that acquired the Facility would be willing to continue its operation as a nursing home. He added that through the privatization process, they were seeking expansion of the Facility and job creation, as well as for any resident and family issues to be addressed during the transition. Mr. Sokol apprised that during their March 4th meeting, the Health Services Committee had reviewed the four RFP (*request for proposal*) responses received in an executive session as there were some details requiring discussion which could not be made public; he noted that on March 18th, the Health Services Committee would meet once again to interview three of the companies that had submitted proposals and he invited anyone interested in participating to attend. Mr. Sokol stated that this was a very involved process and he felt the Board of Supervisors should be proud of the timely manner in which the matter was being addressed.

Mr. Sokol announced that Barbara Taggart, Administrator of the Westmount Health Facility, had recently tendered her resignation, and they had been very lucky to find a highly qualified candidate able to assume the Administrator position beginning on March 25th. He apprised that at a meeting held earlier that morning, the Health Services Committee had voted unanimously to appoint Lloyd Cote as Administrator of the Westmount Health Facility with an annual salary of \$90,000 and four weeks vacation, as represented by proposed Resolution No. 175 of 2013. Mr. Sokol noted that Mr. Cote had worked at Eden Park Nursing Home, (*now known as The Pines*), for the past 35 years and they were very fortunate to have attained such an experienced professional for the position. He advised Ms. Taggart's last day would be March 29th and he stated that Ms. Taggart had served the Westmount Health Facility, and Warren County, very well during her tenure and he wished her the best of luck in her future endeavors.

Referring to business addressed for the Public Health Division, Mr. Sokol pointed out proposed Resolution No. 141, *Resolution Authorizing the Director of Public Health/Patient Services to Send Notice to American Messaging to Terminate Agreement with Warren County*, which sought to terminate a contract used for pager services since they only allowed one-way communication and did not work in many areas of the County. He said they had entered into an alternate agreement with Verizon to provide cell phones for the nurses, at a cost savings of approximately \$400 per year. In addition, Mr. Sokol noted proposed Resolution No. 157, *Authorizing the Director of Public Health/Patient Services to Fill the Vacant Positions of Supervising Public Health Nurse #3 and Community Health Nurse #8 Due to Retirement*.

Mrs. Wood commented that the Public Safety Committee had met on February 22nd, approving proposed Resolution Nos. 151 - 154. She pointed out proposed Resolution No. 174, *Amending Warren County Budget for 2013 for Various Departments within Warren County*, which had been approved through an out-of-Committee request subsequent to advisements from Bud York, Sheriff, indicating that part of the consolidation grant for 911 services included funding for phone equipment. She added it was her understanding that the grant funding was available and equipment purchases needed to be made in the near future to meet a specified grant deadline.

Mr. Conover said the Finance Committee had met on March 6th, approving proposed Resolution Nos. 122, 123 and 163-168. With respect to proposed Resolution No. 174, he commented that although this was not the typical procedure used to approve Finance related requests, he would ask for the Board's

support of the proposed resolution, in order to meet the aforementioned deadline.

With reference to the meeting held on March 1st, Mr. Monroe advised the Legislative & Rules Committee had discussed many items, one of which was to consider the recommendation made by City of Glens Falls Mayor Jack Diamond to change the bar closing time from 4:00 a.m. to 2:00 a.m. He said the Committee had mixed feelings on the issue but agreed that because it was an important issue to the City of Glens Falls, the matter should be discussed by the full Board; therefore, he added, the Legislative & Rules Committee had decided to refer the issue, without recommendation, to the Board of Supervisors and, as such, the item had been included on the meeting agenda. Mr. Monroe apprised that since the March 1st Legislative & Rules Committee meeting, he had received a copy of a letter written by Robert Blais, Mayor of the Village of Lake George, to Mayor Diamond, indicating that the Village was not supportive of the change. The problem with this, he said, was that the a change in the bar closing time had to be made on a County-wide basis and could not be applied for just one municipality.

Mr. Monroe reported that the Legislative & Rules Committee had also discussed the casino gambling issue and indications that the State of New York had bargained away the rights for placement of gaming establishments within a region that included Warren County to the Mohawk Tribe in return for a percentage of the Tribe's gaming revenues. He continued that there was some question as to whether the State had the authority to make an agreement of this nature and also discussion regarding the ability for Warren County to challenge the compact, following which the Committee had decided to refrain from taking any further action on the matter until an indication was made as to whether or not Warren County was being considered as a viable site for casino placement by Governor Cuomo. When asked to comment on the matter, Martin Auffredou, County Attorney, agreed with Mr. Monroe's prior assessment that the Committee had agreed to table further discussion on this issue and he also agreed that there were legal issues to be reviewed in connection with agreements made by the State with respect to the Mohawk Tribe compact. Mr. Monroe advised that Mayor Blais had written a letter to Senator Little seeking some direction on the Governor's feeling about casino placement in Warren County, to which he was currently awaiting a response. Mr. Auffredou noted that upon learning of Mayor Blais' letter, the Committee had decided to table the item until a response from Senator Little was received.

Continuing, Mr. Monroe reported on discussions held by the Legislative & Rules Committee respective to Warren County Local Law No. 9 of 2011, *Entitled "A Local Law in Relation to Preventing the Spread of Aquatic Invasive Species in Warren County"*, and the need to amend it to change the violation penalties (*Section 6*), as well as to enhance the enforcement capabilities provided (*Section 7*). He advised the Committee had subsequently voted in favor of proposed Resolution No. 172, *Introducing Proposed Local Law No. 6 of 2013 and Authorizing Public Hearing Thereon (Local Law No. 6 of 2013 Entitled "A Local Law Amending Sections 6 and 7 of Local Law No. 9 of 2011 in Relation to Preventing the Spread of Aquatic Invasive Species in Warren County")*. Mr. Monroe explained that the revisions for Section 6 of Local Law No. 9 of 2011 would increase the fine structure from "a minimum of \$500" to "a fine of up to \$500 for a first offense and a fine up to \$1,000 for a second conviction of a violation in a 24 month period, or in each case, imprisonment not to exceed 15 days, or both said fine and imprisonment". He further explained that Section 7 of Local Law No. 9 of 2011 would be expanded to authorize the New York State Police, New York State Department of Environmental Conservation (*NYSDEC*) and the Lake George Park Commission (*LGPC*) to enforce this local law, in addition to the Warren County Sheriff's Office. Mr. Monroe encouraged his fellow Board members to support proposed Resolution No. 172, which would authorize a public hearing for proposed Local Law No. 6 of 2013, as outlined above, and he noted that

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

if the public hearing was held at the April Board meeting, the Local Law could be implemented in time for the upcoming Memorial Day holiday which marked the beginning of the boating season in Lake George.

With reference to the Park Operations & Management (O&M) Committee meeting held on February 26th, Mr. Monroe advised the Committee had approved proposed Resolution Nos. 133, *Approving Conceptual Proposal for the use of the Festival Space of the Former Gaslight Village Property as a Staging Area for Power Boat Racing Event*, and 134, *Approving and Authorizing the Reimbursement to the Village of Lake George in Connection with the Former Gaslight Village Property*.

Mr. Girard advised the County Facilities Committee had met on February 28th where they had discussed the rental of the former Ciba Geigy property and subsequently authorized proposed Resolution No. 125, *Authorizing Amendment to the Lease Agreement with D&G Recycling, LLC to Amend Schedule to Lease Agreement to Reflect Reconfiguration to Allow Better Access to Leased Space*, to better accommodate renters of the property. He said that in response to an expression of interest presented by a current renter, they had also discussed the possibility of selling the Ciba Geigy property; he added that Mr. Auffredou was performing research to determine whether this was a viable option and would return to the Committee with his findings at a future meeting. With respect to the Warren County Airport, Mr. Girard apprised that Jon Lapper, Legal Counsel for Rich Air, FBO (*Fixed Base Operator*), had presented conceptual maps representing the building expansions proposed for the Airport Terminal Building which would include additional office space and a new restaurant. He reported that the Committee had approved the conceptual maps presented and this authorization would allow Rich Air to pursue more detailed drawings and plans for the building project, which they would present at a future meeting. Mr. Girard announced that they had received a positive response from Forest Enterprises for the land and avigation easement acquisitions sought in connection with the runway extension project. He said Forest Enterprises had accepted the County's offer as a down payment, pending finalization of a property appraisal Forest Enterprises would commission to ensure the offer was fair.

With respect to the Extension Services Committee, Mr. Girard reported that Cornell Cooperative Extension (CCE) had requested assistance with pavement striping in their parking lot and he had conferred with Jeffery Tennyson, Superintendent of Public Works, to determine if this was something the DPW could assist with. Additionally, he noted that Frank Morehouse, Superintendent of Buildings, was working with CCE to assist with their heating situation to determine if there were less costly options available to them. He explained that CCE struggled to fund their heating expenses which were very high due to the electric heat units in place. On a negative note, Mr. Girard announced that the State of New York had removed \$8,500 in funding from CCE's Eat Smart New York program, thereby impacting the operational value of the program which had been tremendously successful. He said that the funding reduction had been made retroactive to October of 2012 and he noted that CCE continued to struggle with this, and other, funding reductions.

Finally, Mr. Girard stated that he would like to advocate for the Blossomings on the Bikeways-USA program founded by Dr. Senser-Lee and he stated that they needed to determine a means by which the initiative could continue along the Bikeway in a manner that was safe for both those maintaining the plantings, as well as for users of the Bikeway. Mr. Girard advised that Mr. Tennyson had some concerns about the future of this effort and he requested direction from Chairman Geraghty as to how the matter should be addressed. Chairman Geraghty responded that the best way to initially address the issue was through the Public Works Committee and he asked that Mr. Bentley, as Chairman of the

Public Works Committee, include this issue for Committee review.

Mr. McDevitt advised he had attended two meetings at the Office of Community Services that week, the most important element of which was notice that Warren, Washington and Saratoga Counties had been awarded recurring State grant funds in the amount of \$325,624 to develop a home based crisis intervention program to provide in-home clinical crisis services to families in which a child was at risk of in-patient psychiatric hospitalization. He explained that these intensive in-home services were typically provided for four to six weeks and the goal, with respect to cost effectiveness, was to try and eliminate as many in-patient admissions as possible, to develop safety plans for families and teach problem solving techniques. Mr. McDevitt advised that proposed Resolution No. 170, *Resolution Authorizing Early Intervention Provider Agreement Between Warren County and New York State Department of Health, Bureau of Early Intervention and Authorizing Escrow Agreement Between Warren County and New York State Department of Health*, authorized the acceptance of the aforementioned grant funding and he asked his fellow Board members for their support on this item.

Mr. Taylor advised the Economic Growth & Development Committee had met on February 22nd, approving proposed Resolution Nos. 136-138, all of which related to typical business for the Planning Department. He noted that the Personnel Committee had met on March 6th, approving proposed Resolution Nos. 155-162, which he outlined briefly. Finally, Mr. Taylor reported that at their meeting on February 25th, the Information Technology Department had provided the Support Services Committee with a tour of the new Warren County website, which, he opined, was more visually appealing and easier to navigate.

Referring to Mr. McDevitt's prior comment about the grant funding awarded to the Mental Health division through the Office of Community Services, Mr. Loeb stated that proposed Resolution No. 170 did not address this matter and he questioned which resolution authorized the acceptance of grant funds. Joan Sady, Clerk of the Board, responded that the Budget amendment to accept \$300,000 in grant funding was included in proposed Resolution No. 123, *Amending Warren County Budget for 2013 for Various Departments within Warren County*; she added that when the request was initially made, Rob York, Director of the Office of Community Services, had been unaware of what the total amount of the grant award would be and had requested a \$300,000 budget adjustment, advising that he would return to request an additional amendment when the final amount was known.

With respect to Mr. Girard's proclamation of support for Dr. Senser-Lee's Blossomings on the Bikeways-USA project, Mr. Loeb recalled Mr. Girard's advocacy of the Bikeway back in the 1990's when the initiative was first introduced. He said that although the Bikeway had been a County project, Mr. Girard had made great efforts to ensure that the City of Glens Falls supported it, as well. Mr. Loeb stated that he frequently used the Bikeway and he said he was thankful for the efforts made by Mr. Girard which had helped to bring the project to fruition.

Regarding the Social Services Committee, Mr. Loeb reported that the Committee continued to hold healthy debates. He said the Department of Social Services was a complicated and very involved organization and the Committee supported the hard working development staff in that Department. Mr. Loeb noted that it was the last working day for Joanne Collins, Legislative Office Specialist for the Clerk of the Board's Office, as she would be transferring to the Department of Social Services to assume the position of Confidential Secretary to Suzanne Wheeler, Commissioner of the Department of Social Services, and he commented that this was a wonderful staff acquisition for the Department of Social Services.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

Mr. Kenny advised the Occupancy Tax Coordination Committee had met on March 1st and discussed amendments to the occupancy tax law which would require room re-marketers, such as Expedia.com, to pay into the occupancy tax fund for online bookings of rooms in Warren County facilities; he added that the Committee had subsequently approved proposed Resolution No. 171, *Introducing Proposed Local Law No. 5 of 2013 and Authorizing Public Hearing Thereon, (Proposed Local Law No. 5 of 2013 Entitled "A Local Law Amending the Warren County Occupancy Tax as Authorized by Act of the New York State Legislature (Chapter 422 of the Laws of 2003)*. Mr. Kenny reported that the Committee had also approved proposed Resolution No. 139, *Amending Resolution No. 698 of 2012; Authorizing Agreements with Various Applicants for the Disbursement of 2012 Occupancy Tax Revenues*, which redistributed funding from cancelled events.

Mr. Bentley reported that he had been unable to attend the last meeting of the Public Works Committee due to illness. He advised that he had attended a separate meeting with representatives of the Kings School, located in Hadley, NY, with respect to construction of a proposed railroad crossing that would allow them direct access to their athletic fields located on the opposite side of the tracks from the School. He said that this item would be included for further discussion at the next Public Works Committee meeting.

Referring to the March 1st meeting of the Invasive Species Sub-Committee, Mr. Dickinson reported that the meeting had been very informative and had included a presentation by Walt Lender, Executive Director of the Lake George Association (LGA), outlining the LGA's extensive outreach program; he said the LGA was doing a great job of distributing their "Clean, Drained & Dry" brochures and promotional materials and he said he appreciated their taking the time to educate the public on this matter. He said the Committee had also announced the results of a meeting with NYSDEC Commissioner Joseph Martens, indicating that the NYSDEC had responded to the County's challenge, earmarking funding to purchase and install two additional boat washing stations, making a total of five stations available to implement the LGPC's tentative boat washing program. Mr. Dickinson pointed out that following the last meeting with the State's Deputy Commissioner of the Environment, the State had been very cooperative, moving on the environmental impact statement, relaying updates and providing funding. He added that they were very happy to have this improved cooperation, especially in light of the upcoming spring season, which was quickly approaching. Mr. Dickinson advised that Joe Stanek, member of the LGPC Board of Commissioners, had also attended the meeting and he said that Mr. Stanek was an invaluable asset to the effort, due to his extensive knowledge of invasive species, and he encouraged anyone with questions on the matter to contact him directly.

Mr. Dickinson apprised he had recently attended an LGA workshop meeting where the main topic of conversation had been the removal of the mats being used in the Asian Clam eradication effort. He noted that this initiative included placement of 1,007 10' x 50' mats to cover a six-acre section of Lake George, which were weighted down by 6,200 pieces of re-bar and over 2,400 sand bags; he added that this endeavor was somewhat difficult because the floor of Lake George was not flat and the mats floated a bit. Mr. Dickinson stated that the amount of labor required by the mat placement and removal effort was astounding as all of it had to be done by hand, with the materials being trucked away to an off site staging area; he added that the LGA estimated a cost of approximately \$100,000 to remove and store the mats.

On the Invasive Species Committee's behalf, Mr. Dickinson advised that Mr. Auffredou had scheduled separate meetings with Washington County and Essex County representatives to discuss the possibility of their adopting a memorandum of understanding (MOU) similar to the one adopted by other Towns

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

surrounding Lake George, as well as a local law to prevent the transportation of invasive species, similar to the one previously adopted by Warren County which was now being amended. He said the representatives of both Counties were receptive to the suggestion and said they would report the request to their fellow Board members, and hopefully, mirroring resolutions would be approved. Mr. Dickinson stated that they were trying to obtain a show of support for the invasive species effort from every municipality surrounding Lake George, and he said that gaining support from Washington and Essex Counties would be a great achievement. Mr. Dickinson thanked Mr. Auffredou for taking the time to schedule and assist with the meetings, noting that he had been instrumental to the process.

With respect to the Town of Lake George's proposed purchase of a portion of the County's ownership in the former Gaslight Village Property, Mr. Dickinson said a final proposal to the County had been prepared, and once he had a chance to review it, he would submit the proposal to the County in an effort to proceed with the purchase. Finally, Mr. Dickinson stated that he had received a letter from Mayor Blais respective to the bar closing issue, which he would provide to Mrs. Sady.

Mr. Merlino said that the Tourism Committee had not met during the past month, but he reported that the first quarterly newsletter had been emailed to local tourism related businesses, Legislators and chambers of commerce, with those emails being opened by 41% of the recipients. The advertisement placemats were printed, he said, and they could be picked up at the Tourism Office. Mr. Merlino advised good news had been received from the State in that the annual matching fund award received by the Tourism Department was increased by 48% to \$84,038 for the current year. He commented that the new satellite office at the Adirondack Outlet Mall continued to be well received and increasingly visited. With respect to the Public Works Committee meeting he had chaired in Mr. Bentley's absence, Mr. Merlino apprised of a report made by Steve Torrico, General Manager of the Saratoga North Creek Railway, indicating the results of the Snow Train for the current and prior winter seasons. He said Mr. Torrico had reported ridership figures of 810 passengers for January/February of 2012 and 1,224 for January/February of 2013, which they found to be satisfactory results. Mr. Merlino commented that the region had not received a lot of snowfall during either season, and if snowfall amounts increased for 2013, Snow Train ridership might, as well. In closing, Mr. Merlino advised the South Warren Snowmobile Club had reported that, unfortunately, they were only able to officially open the snowmobile trails for ten days during the 2012-2013 winter season, due to a lack of snow.

Referring to the Human Services Committee meeting held on February 28th, Mr. Strainer advised the Committee had authorized filling of a vacant Keyboard Specialist position in the Veterans' Services Department, which was subsequently referred to and approved by the Personnel Committee; *proposed Resolution No. 158, Authorizing the Director of Veterans' Services to Fill the Vacant Position of Keyboard Specialist (part-time) due to Resignation*. He noted that the Community College Committee had met jointly with the Washington County Community College Committee on the prior day, where it had been reported that the dorm construction was going well and was expected to be completed in time for the fall semester. Mr. Strainer advised a tour of the dorms would be scheduled during the spring season and he said enrollments were expected to maintain consistent for the upcoming semester.

Mr. Mason advised the Lake George Regional Chamber of Commerce and Convention Visitors Bureau had recently voted in favor of a resolution of support for the agencies working to prevent additional introductions of aquatic invasive species in Lake George and he said he would provide Mr. Dickinson with a copy of the resolution following the Board meeting; he commented that he had been very pleased to learn of this support for the initiative. Secondly, Mr. Mason reminded the Board of his request at their prior meeting for review and support of the Governor's proposed pension options and he noted a recent email from NYSAC (*New York State Association of Counties*) seeking support on a

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

number of issues, including accelerating the County Medicaid cap, strengthening Home Rule authority and providing pension stable rate reform in direct support of the Governor's proposal. He said that most of the issues NYSAC had referred would be simple to support because the majority would save the County money. Mr. Mason concluded that he hoped the Legislative & Rules Committee would review these requests and support them as quickly as possible.

Resuming the agenda review, Chairman Geraghty called for the report by the County Administrator. With reference to proposed Resolution No. 157, *Authorizing the Director of Public Health/Patient Services to Fill the Vacant Positions of Supervising Public Health Nurse #3 and Community Health Nurse #8 due to Retirement*, Paul Dusek, County Administrator, noted that the Public Health Nurse #3 position was being authorized with a salary range of \$60,000 - \$64,050, depending upon experience. He advised that once a selection was made for the position, the matter would come back to the Health Services and Personnel Committee to set the final salary. Regarding proposed Resolution No. 162, *Approving Salary Study and Recommended Wage Adjustments and Authorizing Amendment of the County Table of Organization and Relevant Salary Schedules for 2013, Transfer from Contingent Fund and Accounting for the Transfer of Said Funds to the Appropriate Budget Account Lines and/or Numbers of the Department which have Employees Affected by the Salary Increase*, Mr. Dusek advised that after the study and proposed wage adjustments were approved by the Personnel Committee, two changes were made which he had forwarded to all of the Board members for review. He said that one salary adjustment had been included in error, and was subsequently removed, while the other was being removed at the suggestion of the STOP-DWI Coordinator (*part-time*) as she had noted that it would require a lot of effort, working with the State, to implement the proposed salary adjustment. Mr. Dusek concluded that because both changes were reductions, there would be no increase in the salary adjustment totals associated with the study.

Chairman Geraghty advised the next agenda item pertained to a referral from the Legislative & Rules Committee, without recommendation, for discussion and deliberation on changing the closing time for bars in Warren County from 4:00 a.m. to 2:00 a.m.

Mr. Kenny advised he had contacted the Sheriff's Office to obtain statistics on the dispatch calls received and had found that during 2012 between the hours of 2:00 a.m. and 5:00 a.m., there had been 246 calls relating to fights, 35 for harassment, 85 for suspicious activity, 33 calls for assault, 11 for burglary, 103 for domestic disputes, 21 for criminal mischief, and 25 for larceny; he added that 40 DWI arrests had been made during these times, as well. He continued that he was sure many of the complaints/arrests made were attributed to alcohol fueled actions and he commented that it seemed at least a couple of times each month the local newspapers reported DWI related deaths and increasingly violent fights and domestic disputes. Mr. Kenny opined that they could do something to reduce the aforementioned statistics by changing the bar closing hours. He apprised that he had talked to more than 100 people about this issue and only a few had objected to the change. Mr. Kenny stated there seemed to be no logical argument against altering the closing time, except for from a handful of bar owners that might argue that they profited between the hours of 2:00 a.m. and 4:00 a.m. He said he had recently heard from someone that there were guests at motels/hotels in Lake George complaining about late night activity waking them up. Mr. Kenny reported that 23 Counties in New York State had moved to a 2:00 a.m. bar closing, and 1 had moved to a 1:00 a.m. closing time; one of the Counties that had moved to 2:00 a.m. closing time, he noted, was Hamilton County, which was located contiguous to Warren County. He also reported that the number one tourism county in the State of New York, aside from New York City, was Niagara County and they had incorporated a 2:00 a.m. bar closing time.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

In closing, Mr. Kenny urged everyone to consider making this change.

Mr. Dickinson stated that he did have issues with the bar closing time being earlier than surrounding Counties and he noted the summer business season in the Town/Village of Lake George and the Town of Bolton was very short and a change of this magnitude could be crucial to those businesses. Mr. Dickinson commented that he was in favor of scheduling a public hearing to discuss this matter further.

Motion was made by Mr. Kenny, seconded by Mr. Loeb and carried unanimously to waive the Rules of the Board requiring that a resolution be presented in writing with regard to scheduling a public hearing for the proposal to change the bar closing hours from 4:00 a.m. to 2:00 a.m. Mrs. Sady advised this would be Resolution No. 177.

Motion was made by Mr. Dickinson, seconded by Mr. Montesi and carried unanimously to schedule a public hearing to consider the proposal to change the bar closing hours from 4:00 a.m. to 2:00 a.m. in Warren County, with said public hearing to be held at the April 19th Board meeting. Mrs. Sady noted this would be Resolution No. 178.

Although he was unable to be present due to a medical procedure, Mr. Monroe advised that Mayor Blais intended to participate in the public hearing. Mr. Bentley commented that the Ridin' Hy Ranch Resort, which was the largest business in the Town of Horicon, was opposed to the 2:00 a.m. closing as their guests, as well as many of their employees, frequented their bar area between the hours of 2:00 a.m. and 4:00 a.m., without any problematic issues. Chairman Geraghty said that he had received the same notification; he added that Essex County planned to introduce a similar proposal to change the bar closing time, but he was unsure whether it would be approved.

Continuing with the agenda review, Chairman Geraghty called for the reading of communications, which Mrs. Sady read aloud as follows:

Minutes from:

1. Warren/Washington Counties Industrial Development Agency and its Executive/Park/Nominating and Civic Development Committees;
2. Office of Community Services - Developmental Disabilities, Joint Chemical Dependency & Mental Health Subcommittees;

Town of Queensbury, Notice of Public Hearing regarding proposed zoning changes;

National Grid, semi-annual PCB report;

NYS Office of Parks, Recreation & Historic Preservation, advising of nomination of the Delaware and Hudson Passenger Station, 57 Beach Road, Lake George, to the register of historic places;

Adirondack Gateway Council, Resolution of Support for the proposed expansion of the Floyd Bennett Airport.

With respect to proposed Resolution No. 175, *Appointing Lloyd Cote as Administrator of Westmount Health Facility*, Chairman Geraghty announced that a resolution would be necessary to waive the Rules of the Board requiring a 2/3 majority vote of the Personnel Committee to fill a vacant position. He noted that this action was necessary because the resolution had been approved by the Health Services

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

Committee earlier that morning and passed directly to the Board, without having been reviewed and approved by the Personnel Committee.

Motion was made by Mr. Conover, seconded by Mr. Loeb and carried unanimously to waive the Rules of the Board requiring a 2/3 majority vote of the Personnel Committee to fill the vacant position of Administrator of the Westmount Health Facility. Mrs. Sady announced that this would be Resolution No. 179.

Chairman Geraghty called for the reading of resolutions. Mrs. Sady announced that proposed Resolution Nos. 123 - 173 were mailed and she noted that proposed Resolution No. 165 was mailed and subsequently amended; therefore, she said, a motion was needed to approve proposed Resolution No. 165, as amended.

Motion was made by Mr. Mason, seconded by Mrs. Wood and carried unanimously to approve the amendments to proposed Resolution No. 165.

Mrs. Sady continued that proposed Resolution Nos. 156 - 159 related to the filling of vacant positions and unless a roll call vote was requested, they would all be approved in the collective vote. She advised that a motion was needed to bring proposed Resolution Nos. 122 and 174 - 176 to the floor.

Motion was made by Mr. Sokol, seconded by Mr. Bentley and carried unanimously to bring Resolution Nos. 122 and 174 - 176 to the floor.

Chairman Geraghty called for discussion on resolutions or requests for roll call votes.

With respect to proposed Resolution No. 171, *Introducing Proposed Local Law No. 5 of 2013 and Authorizing Public Hearing Thereon, (Local Law No. 5 of 2013 Entitled "A Local Law Amending the Warren County Occupancy Tax as Authorized by Act of the New York State Legislature (Chapter 422 of the Laws of 2003)"),* Mr. Monroe questioned what had prompted the amendment. Mr. Auffredou advised the Occupancy Tax Coordination Committee had considered this action for some time before approving the amended Local Law, doing so after the Saratoga County Board of Supervisors had enacted a similar amendment. He explained that changes in the New York State Sales Tax Law made it possible for counties to subject re-marketing firms, such as Expedia.com, to occupancy tax collections for accommodation reservations made in their respective municipalities and proposed Local Law No. 5 of 2013 sought to include these allowances. Mr. Thomas noted the approval of the New York State Legislature had been required to enact the local law allowing for the collection of occupancy tax revenues and he questioned whether Legislative approval would be necessary to amend it. Mr. Auffredou replied that he did not believe any Legislative approvals were necessary because they would be amending a Warren County Local Law, which the Board of Supervisors was authorized to do.

No requests for additional roll call votes were made.

Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 122 - 179 were approved. The Proclamation naming the month of March as American Red Cross Month and the Certificate of Appointment naming members of the Warren County Youth Board were submitted.

Proceeding to the next agenda item, Chairman Geraghty called for announcements.

Mr. Monroe apprised that in the Governor's State Budget there was a proposal to reduce funding to the

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

Adirondack Park Local Government Review Board (APLGRB) by an additional 7%, following three 10% reductions, regardless of the fact that advisements had been made that the funding levels would remain consistent with the Adirondack Park Agency (APA), which was not the case. Another troubling issue, he said, were comments made by Larry Schwartz, Secretary to Governor Cuomo, in an interview with talk radio host Fred Dicker. Mr. Monroe advised that in the interview, Mr. Dicker had pointed out there were 30 counties publicly opposing the SAFE Act by resolution, a number that had since risen to 51 counties, and when asked if he could recall any other issue that had generated as much opposition, Secretary Schwartz stated that he did not generally pay any attention to resolutions adopted by County Legislatures. Mr. Monroe said he found this comment to be highly offensive, especially for someone with such a prominent position in Governor Cuomo's administration. He said that the local governments were the protectors of our freedoms and Secretary Schwartz should be called to task for his statements.

Mr. Dickinson reminded everyone that the Lake George High School boys basketball team would be playing at 5:00 p.m. in the boys basketball tournament being held at the Glens Falls Civic Center. He invited all to attend the game which he anticipated would be both fun and exciting. Mr. Dickinson congratulated the Lake George Warriors on making it this far in the tournament and said he wished them the best of luck in advancing.

Mr. Westcott agreed with Mr. Monroe's comments, stating that he was also shocked by Secretary Schwartz's comments. With respect to the Mayday for Mandate Relieve initiative, Mr. Westcott said he continued to work with Kate Browning, Legislator from Suffolk County, and NYSAC had joined the effort, as well. He said a letter and survey would be sent out in the following two weeks attempting to identify a few mandates that could be referred to Governor Cuomo for elimination. Mr. Westcott advised they preferred mandates that did not target Unions and that were administrative in nature and did not withdraw funds from the people they were intended to serve. He said that they hoped to encourage participation by both Democratic and Republican State and Local Legislators to reflect a bipartisan effort.

Chairman Geraghty encouraged everyone to attend the boys State basketball tournament which was being held at the Glens Falls Civic Center. He said there were many local teams participating and it was sure to be an enjoyable event. Chairman Geraghty noted that Warren County had provided 50% of the funding necessary to purchase the new basketball floor being used during the tournament.

Privilege of the floor was extended to those members of the public wishing to speak.

Dr. Senser-Lee thanked Mr. Girard for offering his assistance to the Botanical Blossomings on the Bikeways-USA project and he also thanked Mr. Loeb for his complimentary words about Mr. Girard's participation in bringing the Warren County Bikeway to fruition; he commented that he had no idea that Mr. Girard had been so involved with the initiative. Dr. Senser-Lee also thanked Dr. James Seeley, Executive Director of Cornell Cooperative Extension, for his consulting assistance with indigenous plantings along the Bikeway. He noted that the Village of South Glens Falls had a 2.5 mile bike trail which would be joining the Botanical Blossomings on the Bikeways-USA project. Dr. Senser-Lee advised that his project, and the region, would be featured in the upcoming Earth Day edition of the *Rails to Trails* publication for April. He noted that the Adirondack Regional Chamber of Commerce would include a video on their website and he believed the Tourism website would include a similar video, as well.

Mr. Auffredou advised an executive session would be necessary to discuss the matter of John Doe v.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 15, 2013

Warren County. He advised he did not expect any action to be necessary subsequent to the executive session.

Motion was made by Mr. Strainer, seconded by Mr. Montesi and carried unanimously to enter into an executive session to discuss current litigation, pursuant to Section 105(d) of the Public Officer's Law.

Executive session was held from 11:41 a.m. to 11:58 a.m.

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

There being no further business to come before the Board of Supervisors, on motion made by Mr. Dickinson and seconded by Mr. Thomas, Chairman Geraghty adjourned the meeting at 11:59 a.m.