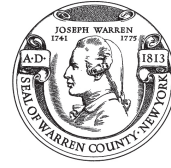


Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, JANUARY 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 10:03 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Conover.

Roll called, the following members present:

Supervisors Conover, Leggett, Girard, McDevitt, Braymer, Brock, MacDonald, Frasier, Simpson, Vanselow, Dickinson, Merlino, Strough, Beaty, Montesi, Sokol, Thomas, Wood and Geraghty - 19; Supervisor Seeber absent - 1.

Commencing the Agenda review, Chairman Geraghty noted a motion was necessary to approve the minutes of the December 18 and December 28, 2015 Board Meetings and the January 6, 2016 Organization Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Strough, seconded by Supervisor Vanselow and carried unanimously.

Moving on to the report by the Chairman of the Board, Chairman Geraghty advised he had nothing to report; he then called for the reports by Committee Chairmen on the past months meetings or activities.

Supervisor Conover advised there were a number of resolutions brought forward every year at this time that did not go through the Committee Meeting process. He mentioned anyone wishing to request a Roll Call Vote on any of the proposed Resolutions could do so. He called attention to proposed Resolution Nos. 37 and 42 which concerned personnel. He explained proposed Resolution No. 37 related to a Budget correction and proposed Resolution No. 42 concerned a correction to properly identify the position for the individual that would be working for the County on managing any remaining receivables from Westmount Health Facility.

Supervisor Leggett informed he had nothing to report.

Supervisor Girard advised that the renovations on the Supreme Court Library to accommodate the new Family Court Judge were progressing appropriately. He encouraged the Supervisors to take a tour of the space, as he felt they would be pleased with the work that was completed. He noted the County had saved a tremendous amount of money on the renovations by completing the bulk of the work in-house. He acknowledged Jeffery Tennyson, *Superintendent of Public Works*, and Frank Morehouse, *Superintendent of Buildings*, for coordinating the work on the Project to ensure they met the designated timeline. Supervisor Girard announced the representatives from CPL (*Clark, Patterson Lee*) would be attending the January 26th meeting of the County Facilities Committee to provide an update on the Court Space Expansion Project and answer any questions. Supervisor Girard apprised the propane heater that had been installed at Cornell Cooperative Extension was working well, heating the building during the off hours to save money on electric heat. He informed that Dr. James A. Seeley, *Executive Director of Cornell Cooperative Extension*, was thankful for the Board's cooperation, as well as for the efforts of the DPW staff in installing it.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JANUARY 15, 2016

Supervisors McDevitt, Braymer, Brock, MacDonald, Frasier, Simpson, Vanselow and Dickinson indicated they had nothing to report.

Supervisor Merlino reported that the Tourism, Occupancy Tax Coordination and Wood Park Committee had met on January 12th, noting the bulk of the meeting consisted of an executive session to conduct interviews for a Tourism Consultant as a result of the RFP (*Request for Proposal*). He mentioned he would continue to provide updates to the Board as they moved along with the process. Supervisor Merlino apprised each Supervisor had been provided with a copy of the 2016 Warren County Travel Guide for their review; he directed anyone who would like extra copies to the Tourism Office.

Supervisors Strough, Beaty, Montesi, Sokol, Thomas and Wood indicated they had nothing to report.

Chairman Geraghty informed he had distributed copies of the 2016 Standing Committees List to the Board Members. He requested that the Supervisors work with the Department Heads and with Amanda Allen, *Clerk of the Board*, to institute the new meeting schedule which would be following the February Board Meeting. He mentioned he was aware there would be a few kinks to work out along the way; however, he said, he hoped to have a Committee Meeting schedule in place by March that pleased the majority of the Supervisors.

Before continuing the Agenda review, Chairman Geraghty recognized Wayne Farmer for his 15 years of service to the Sheriff's Department, and Paul Dusek for 20 years of service to the County, first serving as County Attorney and then as County Administrator. A round of applause was given.

Continuing to the report by the County Administrator, Mr. Dusek advised that some concerns had been raised regarding the County's contract with the Warren County SPCA (*Society for the Prevention of Cruelty to Animals*). He informed the contract for 2015 was for a total amount not to exceed \$20,000. He continued, the concerns related to whether the Agency had filed tax returns with the IRS (*Internal Revenue Service*), as well as filings with New York State Charities. He informed he received an email and telephone response from the accountant for the SPCA indicating these documents had been filed. He continued, the confusion related to the extension period they had been granted to file, which was why he felt they had not been accessible to the Attorney General's Office.

Mr. Dusek apprised the other issue concerned the recording of the various items required by the contract. He remarked he was pleased to report that he had received and forwarded on to the Board the listing of animals addressed by Town, as well as a listing of the organizations services were obtained from and the associated vouchers which far exceeded the funding contributed by the County. He mentioned the only issue he could see remaining related to the verification. He remarked he felt this had been addressed by the fact that the contract required them to be certified or verified, and the vouchers did state they were certified. He added his only other suggestion was that the SPCA certify to their animal counts because they had been sent via email and not in a certified form. He stated he could not foresee any other issues with the contract unless there was additional information the Board Members would like to see provided, as he believed the SPCA had complied with the contract. He said the Warren County SPCA was a County-wide organization that provided services that were compatible with what the County was seeking. He remarked he felt the County was in sync with the SPCA, as their organization was representative of what the County expected of them. He informed the contract required them to make investigations of complaints concerning cruelty to animals; remove, care for or put up for adoption animals; inspect dude ranches; pay any expenses for the cost to board, care for and treat animals; euthanasia; retain the services of humane officer; and comply with the public health and New York State requirements, all of which was clearly shown in the documentation they had

provided. He indicated that upon review, Amy Bartlett, *First Assistant County Attorney*, had advised outside of the additional information that had been provided, she did not see any breaches in the contract. He reiterated he did not foresee the need for any further action unless the Board Members would like additional information to be provided. He noted proposed Resolution No. 34 pertained to the new contract with the Warren County SPCA for 2016; therefore, he stated, if it was approved today as presented they would ensure the information provided on a quarterly basis was verified. He recommended they move forward with approving the contract for 2016 unless any additional information was requested.

Supervisor Simpson informed he was an animal lover, and he supported the Warren County SPCA and what Jim Fitzgerald, *President of the Warren County SPCA*, was attempting to do with the organization within the County, as it was beneficial to all of the Towns; however, he noted, he had some concerns with the contract which did not directly relate to the SPCA. He said during his tenure on the Board there had been a number of issues with contractual requirements, obligations and supporting documentation. He read the following contained within the SPCA contract: *the County shall pay to the Society for a sum not to exceed \$20,000 on a quarterly basis upon the Society rendering a verified account of the disbursements of services rendered with verified or certified vouchers therefore attached for the year 2015. Each account and/or voucher submitted showing the disbursements shall specifically describe the services rendered, costs thereof, identify the Town where the animal for which the services were provided originated.* He mentioned he had not seen any costs per Town or the verified disbursements, as all he had been provided with was the total cost and a disbursement summary which he had questions about. He indicated it could be the fact that the Organization was growing rather rapidly and was in flux but he felt it was the Board's diligence to ensure the contract was followed through with properly. He added he believed the appropriate time to address this and correct the issues was now, before the new contract was adopted. He reiterated he fully supported the County's partnership with the Warren County SPCA; however, he noted, the issues with the previous years contract needed to be clarified before they moved forward with the contract for 2016. He pointed out the two expense summaries provided were entirely different; he stated he had a number of questions regarding this which he felt would take some time to address. He said he would like to see this partnership start off on the right foot rather than having to deal with issues down the road.

Supervisor Montesi remarked he was fully supportive of Mr. Fitzgerald, as he had experience working with him as the Animal Control Officer for the Town of Queensbury. He said Mr. Fitzgerald had proven to be reliable to him. He pointed out Mr. Fitzgerald had just recently taken over the position of President of the Warren County SPCA and this meant there may be some missteps along the way but after hearing the explanation from Mr. Dusek and the opinion of Ms. Bartlett, he felt they had done the due diligence required of them and answered the questions concerning how much additional information was required. He strongly encouraged the Supervisors to support the contract, as he felt delaying it would inhibit the progress that had been made. He added prior to Mr. Fitzgerald taking over the SPCA had been managed rather poorly.

Supervisor Brock apprised he concurred with Supervisor Simpson that they should hold off on approving the contract for 2016 until the issues had been addressed. He mentioned the concerns did not reflect in anyway that the Board Members did not trust the SPCA but he felt they needed to ensure they were starting out correctly or they would run the risk of having to deal with issues in the future. He stated he believed they should set standards to ensure that all contracts were correct prior to adopting them to avoid any issues in the future.

Supervisor Simpson informed his concern pertained to the County's responsibilities in relation to the contract and not necessarily those of the Warren County SPCA. He said he interpreted the contract

language “verified account of disbursements” to mean they were verified and not just what was just handed to him. He pointed out the figures did not add up correctly on the bottom for a total. He mentioned the funding used to pay for the contract originated from the County taxpayers; therefore, he said, it was important to him that they follow through to ensure the issues were cleared up before they moved forward with a new contract. He said although the SPCA was in its infancy and may continue to grow even further; therefore, he felt it was imperative that every dollar was accounted for.

Supervisor Strough advised he thought it was necessary for him to disclose that he was a Board Member for the Warren County SPCA. He commended Mr. Fitzgerald and the others who had worked tirelessly to make it a viable organization moving forward. He said the County needed an entity such as this that would offer humane animal control County-wide. He remarked as was mentioned earlier the previous incarnation of the SPCA was insufficient in offering these services; however, he noted, the new SPCA had been very active and aggressive with their efforts which caused them to spend quite a bit of the funding they had available to them. In order to address Supervisor Simpson’s concerns, he suggested that they include in the current contract a contingency that the SPCA would receive payment for the services rendered as long as they provided the appropriate documentation required of them.

Chairman Geraghty asked Supervisor Simpson whether this was what he was requesting and Supervisor Simpson replied that he felt the County needed to ensure the performance of the first contract was in compliance before they moved forward with the contact for 2016. He said he felt they would be able to deal with the issues with the 2015 contract within a reasonable amount of time. Supervisor Strough interjected that the full Board would not be meeting again until February 19th. Supervisor Simpson pointed out according to the contract for 2016 the first payment would not be due until the end of the first quarter of the year. Chairman Geraghty advised his concern was that if the contract was delayed it could lead to a gap in animal control services for certain communities. He stated the goal was to ensure that the animals were treated in a humane way. He stated he was confident that going forward the County staff would ensure that the contract was handled in the appropriate manner and that the necessary documentation was presented before the Warren County SPCA received payment.

Supervisor McDevitt informed he felt it was necessary for the public record to disclose that his son was the Secretary for the Board of Directors of the Warren County SPCA. He mentioned he was unsure how the Town Supervisors could deal with animal control issues wherein an abundant number of animals had to be removed from the residence such as had recently occurred in the Town of Warrensburg without the assistance of an organization like the Warren County SPCA. Chairman Geraghty commented that his Town relied on Mr. Fitzgerald to deal with issues that were too large for their dog control officer to handle such as when animals like horses, cattle and wild animals were involved or a large quantity of animals. He reiterated it was the County’s responsibility to ensure the proper documentation was received.

Supervisor Thomas inquired whether Supervisor Simpson was seeking more detail in relation to the expenses and Supervisor Simpson replied affirmatively. He stated there was a great deal more itemization on one expense summary submitted than the other which he raised questions. As an example, he pointed out the expenses associated with mileage had decreased significantly during the last quarter. He commented this did not make sense to him, as the only reason he could foresee such a significant decrease in the mileage expense related to a decline in services provided. He added there were also some mathematical errors, as the total was slightly off which meant this may not be up to the standard that justified increasing the contract from \$20,000 a year to \$80,000 without furthering what was included in the contract. He stated the goal was to see the partnership succeed which required them to start out with a good basis. Supervisor Thomas informed he felt providing additional information in relation to the reporting the Warren County SPCA did would be beneficial for the

*WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JANUARY 15, 2016*

County. Chairman Geraghty apprised the County could work with the Organization to obtain the additional information.

Mr. Fitzgerald advised he had not forwarded on to the Board the 2,300 emails which documented the phone calls they received, all of which were date and time stamped. He stated he provided the Board the figures relating to animals; however, he noted, this was not representative of the animal concern calls. He stated it could take multiple trips to deal with one call. He said he thought the Supervisors would be pleased with the fact that they had been able to decrease their travel expense from one quarter to the next. He explained they were able to do so by utilizing a more fuel efficient vehicle than the pick-up truck they had previously been using. He indicated he had brought to the SPCA the experience of working as an animal control officer for a large municipality; therefore, he said, he had some knowledge of where costs could be reduced. He reiterated the figures he provided to the County were not representative of exactly what they did or how many times they responded to Towns. He informed the SPCA had begun seeking bids for a new computer operating system in September of 2015 and had selected one of them in early December. He said once the new operating system was implemented it would document every call as it was received from the answering service. He mentioned they would no longer be providing quarterly reports to the County, but rather monthly reports covering all of the services they provided. He emphasized that the Organization was a start-up, as the previous one had been operating at a loss for a number of years. He pointed out the County's contract with the Warren County SPCA commenced about twenty-five years ago; he noted since he had taken over the Organization about a year ago he had provided the County with more information than they had ever received from the Organization. He continued, he felt he would have all the ducks in order by the end of the year. He suggested in the future that Supervisors contact him to discuss their concerns before the Board Meeting to allow him the opportunity to address it with them.

Supervisor Simpson advised the Board's goal was for the Warren County SPCA to succeed. He remarked his idea as a Supervisor representing the residents of the County was to work with the SPCA's accountant to provide the Supervisors with the additional information they were requesting. Mr. Fitzgerald interjected that they had taken this year to gather information so they could implement this new system. He informed that while he understood there were some issues that needed to be addressed, it would not help for the contract to be withheld until the kinks were all worked out, as this would negatively impact the animals and residents of the County. He apprised he had assisted the Warren County SPCA with an animal cruelty case in the Town of Horicon in 2013 wherein thirteen trips were made to the residence. He noted during this time frame the annual funding the Warren County SPCA received from the County was \$8,000; however, he said, a case such as this one would cost roughly cost about \$3,500 which was about 40% of their total budget for the year. He informed the SPCA would not be able to operate without the actual figures for animal record, as they were audited by the State every year and therefore could not operate without that information. He explained the data recorded included shots, date of impound, adoption records, what rescue organization they went to, if they were euthanized, etc. He pointed out it cost money to handle matters in a humane way which was what they were doing.

Supervisor Simpson stated since they were dealing with taxpayer dollars there was a certain amount of accountability required. He stated the focus for the Board over the last two years had been on contracts and performances; therefore, he said, he felt now was the time to correct the problem rather than find out in the future there were issues that needed to be addressed.

Supervisor Braymer thanked Mr. Fitzgerald for being frank and open with the Board. She stated she fully supported the Warren County SPCA; however, she noted, she had the same concerns as Supervisor Simpson. She informed she was concerned that the County was getting involved with contracts but not

following through with performance from the County's perspective. She suggested they approve the contract for a shorter period of time and amend the language to reflect what information the SPCA would provide to the County in order to prevent a lapse in services.

Ms. Bartlett apprised the language included in the contract was rather general, as it complied with the County's voucher procedures. She noted this language was included in a number of the contracts the County had. Supervisor Braymer pointed out the contract required information on payment of salaries, purchase of food, materials, supplies, payment for travel, etc. She said if Mr. Fitzgerald was concerned with providing the information in that specific format than maybe they could come up with different language for how they would like to receive it. Ms. Bartlett stated if the specifics were a concern they could work on them.

Mr. Dusek asked whether the Supervisors had seen the expense report for the third quarter, as it did specify in detail animal hospital, mileage, food, etc. He stated the report identified everything the SPCA had spent. He questioned whether the Supervisors were seeking additional details on top of this, as he was unsure what they were requesting in terms of further details. He informed the voucher certified the amount they were requesting was below what they had actually expended. He said it was important to know what additional information they would like to be provided in addition to what was already listed there.

Supervisor Simpson apprised his confusion arose from the fact that there was different information included on each expense report that had been submitted. Mr. Fitzgerald explained the reason for different information related to the fact that the SPCA's Peace Officers had gone through training thereby eliminating the need for ammunition costs, as well as a number of other cutbacks in expenses they had made to better manage the organization. He noted no taxpayer funds were used to construct their new facility, as they had put the infrastructure together themselves. In contrast, he said, Saratoga County had expended \$5 million to construct their animal shelter.

Mr. Dickinson apprised the Town of Lake George currently had a contract with the Warren County SPCA; he remarked he was pleased with their response to animal control issues that occurred in his Town. He noted he had received no complaints about the services provided.

Chairman Geraghty then called for the report by the County Attorney and Ms. Bartlett advised that she would like to introduce Brian Reichenbach, who had been appointed to the position of County Attorney and would be commencing work on February 1st. A round of applause was given. Mr. Reichenbach thanked the Board for their confidence in him; he noted he was looking forward to working for the County and earning the trust of the Board.

Mrs. Bartlett apprised that there were a few more changes being made in the County Attorney's Office, as today was Terry McGarr's, *Legal Assistant*, last day of work. She stated Mrs. McGarr was retiring from the County after fifteen years of service. She encouraged the Supervisors to stop by the office to wish Mrs. McGarr well in her retirement. She added she would also be retiring from the County in about a month. She stated the new Legal Assistant that had been hired, Ilana Morgan, was doing a great job.

Supervisor Montesi inquired whether a new 1st Assistant County Attorney would be appointed following Mrs. Bartlett's retirement and if so who would be making the appointment; Ms. Bartlett responded that Mr. Reichenbach would be charged with appointing someone to the position once it was vacated.

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

Reports from:

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JANUARY 15, 2016

1. Capital District Regional Off-Track Betting Corporation Financial Reports Dated October 31, 2015 and November 30, 2015;
2. Lake George Park Commission Final Report for the 2015 Lake George Aquatic Invasive Species Prevention Program;
3. Report of Criminal and Family Workloads for November 2015 from the Warren County Probation Department.

Minutes from:

1. October 14, 2015 meeting of the Warren and Washington Counties Civic Development Corporation Executive Committee;
2. October 19, 2015 meeting of the Warren and Washington Counties Civic Development Corporation;
3. November 9, 2015 meeting of the Warren and Washington Counties Industrial Development Agency Executive/Park Committee;
4. November 16, 2015 meeting of the Warren and Washington Counties Industrial Development Agency.

Warren and Washington Counties Civic Development Corporation and Industrial Development Agency 2016 Final Budgets.

Washington County Board of Supervisors adopted Resolution Nos. 262 and 263 of 2015 relating to the SUNY Adirondack NSTEM and WORC Projects.

Capital District Regional Off-Track Betting Corp. November 2015 Surcharge check in the amount of \$4,308.00

Letters from June Maxam dated December 23, 2015 and January 12, 2016 regarding the 2016 Warren County SPCA Contract which were previously forwarded to all members of the Board of Supervisors by email.

Proceeding with the Agenda review, Chairman Geraghty announced an executive session was necessary to discuss possible litigation.

Motion was made by Supervisor Girard, seconded by Supervisor Merlino and carried unanimously to enter into executive session pursuant to Section 105(d) of the Public Officer's Law.

Executive session was held from 10:40 a.m. until 11:05 a.m.

Upon reconvening, Chairman Geraghty announced no action was taken during the executive session.

Chairman Geraghty announced Mrs. Allen was distributing a copy of a proposed Resolution entitled "*Authorizing the Chairman of the Board of Supervisors to Retain Engineering Assistance to Review Realized Municipal Center Energy Savings and Provide Advice and Counsel to the Warren County Board of Supervisors*" which was drafted by Supervisors McDevitt and Beaty.

A motion was made by Supervisor Simpson, seconded by Supervisor Montesi and carried unanimously to bring the proposed resolution to the floor; Chairman Geraghty announced this would be proposed Resolution No. 45.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JANUARY 15, 2016

Chairman Geraghty called for the reading of resolutions. Mrs. Allen advised proposed Resolution Nos. 24-41 were mailed; she informed that proposed Resolution Nos. 42-44 were prepared after mailing and a motion was needed to bring them to the floor. The necessary motion was made by Supervisor Dickinson, seconded by Supervisor Sokol and carried unanimously.

Chairman Geraghty then called for discussion/public comment on resolutions and requests for roll call votes.

Supervisor Simpson requested a roll call vote on proposed Resolution No. 34. He inquired whether a motion to waive the Rules of the Board was required for proposed Resolution No. 45 in order to bring it to the floor and Chairman Geraghty replied in the negative. He explained since the proposed resolution was presented in writing, a waiving of the Rules of the Board was not necessary.

Supervisor Strough apprised he felt compelled to disclose that in addition to being a member of the Board of Directors for the Warren County SPCA he was also a Member of the Board of Directors for the Warren County Economic Development Corporation. He stated he remained financially independent as a member of both of those Board's and received no profit from being involved with them.

Supervisor McDevitt requested that they amend proposed Resolution No. 45 to remove the following from the second paragraph "*with the advice of the Chairman of the Facilities Committee*".

Supervisor Thomas asked whether there was a cap to the amount of money they would expend for the engineering services; he noted he was concerned with the expense since the funding would be allocated from the Contingent Fund. Supervisor McDevitt stated he felt that \$20,000 was a sufficient amount of money to cover the cost. Supervisor Thomas pointed out any requests for additional funding would need to be presented to the Finance Committee. Supervisor Beaty added it was his understanding that the County would be applying to NYSERDA (*New York State Energy Research and Development Authority*) for funding to reimburse a portion of the cost.

Chairman Geraghty called for a motion to amend proposed Resolution No. 45 as outlined above. A motion was made by Supervisor Vanselow and seconded by Supervisor Simpson and carried unanimously to amend the resolution.

Supervisor MacDonald remarked that he wanted to reinforce the notion that the Board wanted to take a much more thorough approach with all contracts the County entered into given last years high profile discussions about contracts. He stated he believed the County required the services provided by the Warren County SPCA but felt it would be reasonable to suggest that Supervisor Simpson's concerns were addressed before they moved forward with the contract. He suggested that Supervisor Simpson be afforded the opportunity to meet with Mr. Fitzgerald to work through his concerns following which a Special Board Meeting could be scheduled to vote on the contract. Chairman Geraghty questioned whether Supervisor MacDonald was requesting to table the resolution and he replied affirmatively.

A motion was made by Supervisor MacDonald and seconded by Supervisor Simpson to table proposed Resolution No. 34.

Supervisor Geraghty called for a roll call vote on the motion to table proposed Resolution No. 34 following which the motion failed by a majority vote of 161 in favor (*Supervisors Braymer, Brock, MacDonald, Frasier and Simpson*) and 754 opposed (*Supervisors Conover, Leggett, Girard, McDevitt, Vanselow, Dickinson, Merlino, Strough, Beaty, Montesi, Sokol, Thomas, Wood and Geraghty*) (*Absent: Supervisor Seeber-85*).

Supervisor Beaty requested a roll call vote on proposed Resolution No. 45.

Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 24-45 were approved as presented.

Continuing the Agenda review, Chairman Geraghty called for announcements.

Supervisor Brock questioned whether an automatic roll call vote was required on Resolution No. 45 since it did not go through the Committee Meeting process and Chairman Geraghty replied in the negative.

Supervisor Strough thanked Chairman Geraghty and Julie Butler, *County Purchasing Agent*, for securing solid waste vendors including one for electronic waste. He stated he was pleased to report the burden of providing household waste disposal was no longer solely falling upon the Town of Queensbury, as the County was organizing a collection date that would occur sometime this spring. He added he felt the community at large would benefit from both the electronic waste and household waste disposal.

Supervisor Dickinson recognized Supervisor Merlino for his efforts in overseeing the Tourism Department, as he was pleased with the improvements that had been made and in particular the fact that they had reached out to the community at large and involved some of the local business owners in the RFP process concerning a Tourism Consultant. He thanked Mrs. Butler for working with them to put together the RFP. He stated the RFP process had taken a tremendous amount of work to which he felt Supervisor Merlino and Mrs. Butler had done a great job on; he noted he was appreciative of their efforts.

Curt Austin, *of the Upper Hudson Rail Trail*, reminded the Board he had attended the September 18, 2015 Board Meeting to discuss the Rail to Trail Alternative for the First Wilderness Heritage Corridor. He said the First Wilderness Heritage Corridor was a concept that was developed to support all the towns surrounding the Upper Hudson River and the railroad. He pointed out the weakness in the plan related to the fact that the railroad, which was the centerpiece attraction to the Corridor, was not doing well. He informed the good news was there an alternative use he felt would work well was a Rail Trail, which was a multi-use trail that could be used for biking, hiking and snowmobiling. He said he was there to advocate for this option now because the contract with the railroad would be up for renewal shortly. He advised he had distributed a flyer to the members of the Board so they could refer to it in regards to the benefits of having a rail trail within the First Wilderness Heritage Corridor. He indicated there was no question about what provided more money for Tourism as supported by his conversation this morning with Michael Consuelo, *Executive Director, Lake George Regional Chamber of Commerce & Convention & Visitors Bureau*, who indicated to him that they received an abundant amount of inquiries regarding biking but none about the railroad. A more concrete example, he said was in order for the new owner of the Thousand Acres Ranch to be successful changes would have to be made going forward. He said the railroad went right through the campground of that property but did not currently stop there and was of no benefit to the business. He continued, he thought they could attract a few hundred, if not more, guests per year there if it was a bike trail during the summer and a snowmobile trail during the winter rather than the railroad. He added he thought that a number of businesses along the trail would benefit from the changeover to a Rail Trail if it were to ever come to fruition, as individuals on bicycles and snowmobiles were more likely to patronize businesses than individuals riding the train. He noted, not only did the Rail Trail benefit the tourism industry in the County, but also the residents, as it allowed them to pursue recreational activities and healthy lifestyles. He informed the trail would be a unique, nationally known trail that began in Saratoga and ended in the

Adirondacks. He stated another benefit for the County was they could generate money from selling the railroad tracks to a salvage company which he hoped would be allocated for use of improving the trail.

Mr. Austin opined he found it peculiar that the majority of the Supervisors were supportive of the Rail Trail yet his proposal went no further. He said he thought he had presented a reasonable proposal calling for them to move forward with a one year agreement with SNCR (*Saratoga & North Creek Railway*) to allow time for a study to be completed regarding the benefits of having a Rail Trail in Warren County. He apprised this would allow the Board time to gather enough information so they could make a sound judgement rather than going by his word only. He stated since his proposal went no further this meant neither the Supervisors, businesses of the First Wilderness Corridor or the residents of the County would get what they wanted. He advised they could tie his proposal into the Board's attempt to improve the process of how they came up with decisions, revisit old decisions, manage contracts, etc. He continued, this would be a good test case to produce the result the majority of the Supervisors and citizens of the County wanted to see move forward.

Supervisor Merlino announced he did not want to debate with Mr. Austin but felt compelled to bring forward the following statistics he may not be aware of:

1. Warren County's portion of the railroad ran from the Hadley to North Creek. The Town of Corinth owned the tracks from Saratoga to Hadley and SNCR owned the tracks to the north of North Creek. He said this meant they would have to purchase the land from these entities if they were to move forward with the Rail Trail.
2. Although the steel from the tracks had a significant monetary value every tie on the track would need to be purchased and disposed of as if it was hazardous as per the NYSDEC (*New York State Department of Environmental Conservation*) requirements which would be very costly.

Supervisor Merlino stated that had taken Mr. Austin's proposal under consideration when he presented it to them; however, he said, since they were working with SNCR on a contract they could not make a decision until a decision on the contract was made. He commented he wholeheartedly disagreed with Mr. Austin's statement that the Board was known not to follow through. He stated he wanted to ensure that Mr. Austin understood it was not as easy as he had made it sound, as there were certain things that needed to be worked out.

Mr. Austin apprised he believed the salvage company was responsible for disposing of the ties. Supervisor Merlino interjected that the new NYSDEC regulations had just come into play within the last six months. Mr. Austin pointed out there were questions that needed to be answered, which was why he felt a study was necessary to provide accurate data so the Supervisors could make an informed decision. He stated he was calling for a discussion, as the absence of it indicated to him something was wrong.

Mr. Consuelo mentioned he was unaware he was going to be singled out today but he was asked a point blank question to which he gave a frank answer. He said the Lake George Regional Chamber of Commerce did receive more inquiries regarding biking than they did for the railroad; however, he noted, they recognized SNCR was a feature of the County to which they promoted the best they could. He added until something changed they would continue to promote SNCR as they had been.

Chairman Geraghty announced that former North Creek Town Supervisor Fred Monroe would be recognized at a dinner in Brant Lake on January 29th 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 Vanselow, Chairman Geraghty adjourned the meeting