

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PLANNING & COMMUNITY DEVELOPMENT

DATE: APRIL 25, 2006

Committee Members Present:

Supervisors Stec  
Belden  
Gabriels  
Monroe  
Tessier  
Mason

Others Present:

Representing Planning & Community  
Development Dept.:

Patricia Tatich, Director  
Wayne LaMothe, Assistant Director  
Jamie White, Business Development  
Coordinator  
Martin Fitzgerald, Construction Cost  
Coordinator

Committee Member Absent:

Supervisor Champagne

William Thomas, Chairman

Joan Parsons, Commissioner, Administrative &  
Financial Services

Joan Sady, Clerk, Board of Supervisors

Trish Nenninger, Second Assistant County Atty.

Supervisor Merlino

Supervisor Haskell

Supervisor Barody

Supervisor VanNess

Supervisor Geraghty

Marquel Johnson, Office, Clerk, Board of  
Supervisors

Sheriff Larry Cleveland

Katy Goodman, Secretary to the Clerk

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Mr. Stec called the meeting to order at 11:15 a.m.

Motion was made by Mr. Belden, seconded by Mr. Mason and carried unanimously to approve the minutes of the previous meeting, subject to correction by the clerk.

Privilege of the floor was extended to Ms. Tatich, and she distributed copies of her Agenda packet for the meeting to the committee members, and a copy of same is on file with the minutes.

Ms. Tatich recognized that department staff members, Jamie White, Business Development Coordinator, and Martin Fitzgerald, Construction Cost Coordinator, were present today. She also noted that Trish Nenninger, Second Assistant County Attorney, was present relative to anticipated discussion concerning an issue about the department's grants for the Access to Home Program and the New York Main Street Program pursuant to Agenda Item No. 3 under Planning General: Project Updates and Discussions.

Ms. Tatich recognized Supervisor Eugene Merlino, of the Town of Lake Luzerne, who she said was present to discuss the status of the outdoor drama project pursuant to Agenda Item No. 2 under Planning General: Project Updates and Discussions. She noted that Supervisor Merlino had rearranged his schedule so he could attend the meeting. Ms. Tatich commented as the committee members were aware discussion on the project had been ongoing and there had been highs and lows about it. However, she stated it was felt that there was merit in continuing the discussion on the project and the bottom line was who would do the project, what it would cost and where the funds would come from.

Ms. Tatich recalled the Town of Lake Luzerne had recently hosted three public information meetings in order to obtain the town residents' input on the project and those resulted in a mixed bag of information. However, she said it was determined that the town residents who participated in the meetings and members of the Town Board did want to at least pursue additional information that would help them to solidify their commitment to whatever needed to be done. Ms. Tatich stated at that time the level of commitment concerned the issue of access to the project site. She advised the Town has pursued another way into the site and at this committee's request after the last meeting, Mr. Stec, Mr. W. Thomas, Mr. Merlino, Mr. LaMothe and she discussed the project. Ms. Tatich stated from that discussion they concluded that the project would perhaps cost more than Lake Luzerne could provide either in terms of force account work or other types of work. It was also decided that the County was the entity that was in the best position to ask for funds from the State or whatever entity that would best serve their needs, she said. Ms. Tatich advised they concluded that they needed to figure out what needed to be done on the project, who needed to do it and to either move forward with it or let it fall by the wayside.

Mr. Stec concurred with Ms. Tatich's summary of the issue. He commented that all along his impression had been that the County had intended to be more directly involved with this project, but perhaps that was incorrect. Mr. Stec stated at this point they needed to make sure that everyone got on the same page right now and goes forward as he thought everyone wanted the project to be in the County and they want to make sure the right decisions are made so it would be successful wherever it ended up being located. Mr. Stec noted they have more information now than they had two months ago, particularly that based on the decision made at the aforementioned public information meetings the silent majority of Luzerne residents did support the project being located in the town. In addition, he advised the meetings also resolved one of the major issues which was the access to the site. Mr. Stec concluded perhaps they could all feel more confident now that the Lake Luzerne location would work. However, he stated the big question now was the financial issue and in the aforementioned meeting it had been suggested that it might be appropriate to consider requesting funds through Senator Little, Congressman Sweeney and Assemblywoman Sayward for the project.

Mr. W. Thomas noted during the meeting he thought he had pointed out that the previous Lake Luzerne Supervisor had looked for \$50,000 to come from the (County's) occupancy tax funds. However, he said the Supervisors decided they did not want to use those funds and that the funds would be looked at in the budget. Mr. W. Thomas stated then with the change in the town

supervisor position he thought there was never any impetus to follow through on the funds at the time they were needed from the County. Thus, he stated as far as he knew the County had never determined how the outdoor drama project would be funded. Mr. W. Thomas confirmed for Mr. Tessier that the funds had not been put in the County budget.

Mr. Monroe entered the meeting at 10:53 a.m.

Motion was made by Mr. Belden to refer a request to the Finance Committee for \$50,000 for the project. He said he thought the funds should come from the occupancy tax monies. Following discussion, Mr. Belden concurred with Mr. Stec that the motion was to recommend to the Finance Committee that they should first look for the funds from the occupancy tax monies.

Mr. Mason seconded the motion.

Mr. Stec commented although the \$50,000 was an important item it would be the tip of the iceberg for the project going forward relative to the capital investment in the \$1 million - \$2 million range that would have to be looked at. Mr. W. Thomas concurred that would be the case. Mr. Stec noted if the County was going to commit to the first \$50,000 they needed to be prepared to answer the question of whether they were going to make sure that the costs were underwritten by either the County or other sources from the State or the Federal Government.

Mr. Barody commented he was not arguing either for or against the project as he liked the idea of the drama. However, he said as they proceeded they needed to look at the question of how many other venues were asking the County's State representatives for funds and for what amounts. Mr. Barody noted the County was pursuing funds for several economic development projects and there are only so many dollars available in the well plus timing was also involved. He said he did not know if the Finance Committee or which committee needed to look at the issue of what kind of projects the County had on the board, what their timing is and their projected costs and how much they are asking the elected representatives for so they have some coherent plan for what they are doing. Mr. Stec concurred that was a good point.

Mr. Haskell queried what the funding plan would be if they could not obtain State funds and how would they cover the other \$1.5 million dollars, i.e., by bonding or what. Mr. Stec responded that was the kind of question being discussed now and it related to what Mr. Barody had spoken about.

Mr. Stec recognized Mr. Merlino, who stated because the issue concerned the Town of Lake Luzerne, he wanted everyone to know that whatever decision the committee members and other County Supervisors made the Town would abide by it. He acknowledged they would like to have the outdoor theater in Lake Luzerne but when he took office it had been presented to him that it would be funded by the County, the private sector, etc., so that was what they pushed about it. Mr. Merlino commented he regarded Mr. Tessier highly. However, he said when Mr. Tessier had mentioned to him a couple of months ago that Lake Luzerne would have to come up with \$1

million for the project he did not completely grasp that information at the time. Mr. Merlino apprised the Town cannot afford to spend that much money as it has a debt load of \$3 million and he could not put any more on the taxpayers plus they are working on some other projects. He noted they did hold the aforementioned public information meetings wherein they dealt with those who opposed the project and the Town board stuck together on the issue. Mr. Merlino expressed appreciation to the Planning & Community Development Department's staff for their attendance at the meetings. He agreed as said earlier in the meeting that after the Town approved the project the silent majority of residents did express to him their support for proceeding with it afterwards.

Mr. Merlino advised the Town was ready to do the project if the County could obtain the funds for it since the Town could not afford it except for part of what they had thought was the \$50,000 or \$25,000 or with equipment for the (access) road, etc. He noted that was the way the project was explained to him. Mr. Merlino stated he did not have a problem if the outdoor theater had to be built in the Town of Lake George and he wanted the supervisors to know he would support that 100% but he would still like to try to have it in Lake Luzerne. If, he said that cannot happen, then perhaps something else could be worked out where the Town could provide support to another (County) project such as the railroad.

Mr. Merlino advised he had spoken to the Town board members yesterday and they had asked him to inform the supervisors that they still favored the project if the County could help with it, but if not they would support whatever direction it was decided to take upon it.

Mr. Stec stated he first heard about the project when he was a Town of Queensbury Councilman because when it was first discussed one of the potential sites was in the Town of Queensbury. At that time, he said some of the promoters of the drama (*The Last of the Mohicans*) had recommended to the local officials that they should look into creating a non-profit board of directors 501(c)(3) corporation for the theater and to pursue donations from the private sector not only locally but from around the State. Mr. Stec noted it was important to recall that aspect of the issue had also been discussed so it was clear no one had ever said the financial responsibility for the project was all up to the Town or the County or federal or state grants. He said he thought the funding could be a mix.

Mr. Belden stated the \$50,000 figure had been discussed for the past couple of years and it was for start-up funds for permit costs, to see how other funds could be obtained and to see how the project could be done. However, he said at this point there are no funds so they could not do anything on the project. Mr. Stec responded the risk was that they did not want to spend \$50,000 or \$100,000 on one site and then find out that there are no funds to develop that site so funds would have to be spent on another site. They want to avoid spending funds twice if possible, he added.

Mr. Mason stated Mr. Belden, others and he had visited several of the locations of operating outdoor dramas. He advised it should be understood that the actual costs of a project would be

more like \$4 - \$5 million instead of \$1 - \$2 million because it would cost \$1 million just to operate the first year. Mr. Mason commented if the situation was going to be tight he would ask Mr. Tessier what the Town of Lake George's position was since he had previously mentioned that the Town has a lot of items the project would need such as roads, etc., so they would not have to cover those costs.

Mr. Tessier responded he understood the original figure was \$100,000 and \$50,000 was to come from the County as the County had received a \$25,000 grant which it would match. He advised if Lake Luzerne could do the project he would not have a problem with that. However, Mr. Tessier stated even if Lake Luzerne was going to receive funding, someone would have to pay for a road to the site. The road would have to be quite long and it would cost about \$2 million to build, he said. Mr. Tessier noted originally the Town of Lake Luzerne was going to build the road and he did not know if they had an estimate for that work. Mr. Merlino confirmed as far as he knew the Town did not have an estimate to build the road. Mr. Tessier stated they could not depend on using the County's equipment to build the road because if the County needed the equipment the Town would not be able to use it. He advised Lake George would do whatever it could to help Lake Luzerne with equipment, etc., but the funding was another issue.

Mr. Mason said his question was whether Lake George was available as a site. Mr. Stec said in other words if it was not financially feasible to have the project in Lake Luzerne and they wanted it to be in Lake George what was the Town's financial position to support it. Mr. Tessier replied the Town owns the property and the road to it and there is a parking lot. As, he said there is a mining operation at the top of the mountain now, the trucks, excavating equipment, etc., are there now so they could do the excavation work needed for the project. Mr. Tessier stated he felt at this point the main issue they had to look at was where the financing was going to come from.

Continuing, Mr. Tessier noted the Town had spent two years meeting with the State about funding the Gaslight Village project only to find out the State would only fund \$500,000 of an \$11 million project. He emphasized he wanted to have the outdoor drama in the County because if it was not going to be here it was going to be located in Cooperstown. He stated it could be done in Lake Luzerne if they could obtain funding somewhere. However, Mr. Tessier said Lake Luzerne would have to commit to some portion of the costs, even if it was in-kind services as they would be costly.

Mr. Monroe stated he supported the concept of the project but he would not like to see it built where it would cost more in one place than it would in another. Thus, he advised he felt they needed to evaluate other potential sites carefully and see what other towns might be willing to do because there would be an economic benefit to the host town. Mr. Monroe noted he felt they needed to consider if Lake George was willing to commit some funds and Lake Luzerne was not. Mr. Stec said he thought that was Mr. Mason's question. He asked Mr. Tessier if Lake George could finance \$2 - \$2.5 million. Mr. Tessier replied the road would cost \$2 million and the Town already has that in place. He recalled the reason this property could not be considered as a site for the outdoor theater originally was because the Village of Lake George had it leased out for

another project. However, he said that project fell through so the property would now be available and in addition to the road there is a water supply and three-phase electricity at the site so they already have \$2 million tied up in that project. Mr. Tessier noted the out-of-state group that was going to design the outdoor theater wanted to have the 200' stage on one side of the site, the reservoir in the middle and the bleachers on the other side. He reiterated he did not want to see the theater leave the County.

Mr. Stec stated the question was whether or not the Town of Lake George could contribute funding towards the project. Mr. Tessier noted he had read in the paper that Lake Luzerne had been told they would be able to collect sales tax on the tickets to the drama. However, he explained there would not be any sales tax on tickets sold by a 501(c)(3) corporation. The drama will struggle for the first few years because of operational costs, etc., he added.

Mr. LaMothe explained the current status of the project was that the next phase would be to look at whatever site the County wanted to put \$50,000 towards for a preliminary design report that would look at all the permitting issues. He stated the report should provide them with some good hard costs to build the theater based on the site's constraints. Mr. LaMothe advised they did have a report from the initial feasibility study that gave ballpark figures for what the building costs should be but that information was two to two and-a-half years old. He stated test borings, soil surveys, archaeological surveys, etc., would be needed because they are required to get the permits in place. Mr. LaMothe apprised the two-year old numbers showed the preliminary design report could cost from \$100,000 - \$180,000 depending on what level of archaeological survey would be required and what is found on the site. He said with these activities they would be doing everything short of construction drawings so it would be hoped that would reduce the development costs.

In reply to Mr. W. Thomas' query on who would pay to build the project when all the studies were done, Mr. LaMothe said that would have to be determined once they had the hard costs. Mr. W. Thomas remarked those costs were a couple of million dollars. Mr. LaMothe responded the previous committee chairman was looking forward to County participation and at various grant programs to put a package together. Mr. Stec noted he was also looking at doing that. Mr. LaMothe advised they could not go after funds if they did not have hard costs for the project. He stated the feasibility study done by the Institute of Outdoor Drama designated Lake George as the preferred site but due to the aforementioned constraints it could not be developed then. Mr. LaMothe explained it was the preferred site because it had the aforementioned road, three-phase power, and parking lot so some of the site development costs were already paid for.

Mr. Stec queried if would be fair to say that with the preliminary constraints removed the preliminary design report would say that Lake George was the preferred site. Mr. LaMothe confirmed he had an e-mail from Scott Parker, Director of the Institute of Outdoor Drama, that basically said that.

Mr. Gabriels noted they had discussed only that either the Town or the County would be involved

in the project. He stated it was not clear to him whether under Municipal Law the Town could enter into a for-profit endeavor such as this project or whether the County Board of Supervisors could do so either. Mr. Gabriels noted they did not yet have the legal structure in place to funnel funds to whatever the entity would be until they obtained the 501(c)(3) designation for either the County or the private sector and that had not been done yet. Mr. LaMothe explained based on previous discussions on the project it had been assumed that the operation of the theater would be modeled after the (County) railroad wherein the municipality would own the facility and lease the rights out to a non-profit corporation. He advised a non-profit corporation had been created for the theater but it remained to be seen whether or not it would become a production company.

Mr. Barody left the meeting at 11:13 a.m.; and Mrs. Parsons entered the meeting at 11:15 a.m.

Discussion continued, and Mr. Tessier stated the question was after the \$2 million was spent for the road who was going to fund the rest of the costs. He advised most of the other facilities were funded by the private sector but that would not be the case in this County. Mr. Stec responded he thought there were two possible options they could look at and the first would be to create a 501(c)(3) that would be partially funded by the County and the Town and by philanthropists from New York City. The second option, he said he thought they should look at would be to see if the project would fit under the (Public) Authority the County is currently discussing. Mr. LaMothe stated the Planning Department saw the (County) LDC (Local Development Corporation) coming into play.

Mr. Mason advised he wanted to explain to Mr. Merlino, as the Town of Lake Luzerne Supervisor, that he was not trying to short Lake Luzerne. However, he stated he was very interested in the project and he wanted to see it go through because it would fit so well with the tourism activities in the County. Mr. Mason noted he just wanted to make sure that Mr. Tessier agreed with having the site in Lake George. He concurred as said earlier in the meeting he did not want to spend \$50,000 on a site that cannot be used. Mr. Mason said he thought they first needed to settle what the preferred site was going to be before getting into the financial issues.

Mr. Stec asked Ms. Nenninger, Second Assistant County Attorney, from a legal perspective, what the next steps would need to be as far as creating a 501(c)(3) corporation versus funding under a (Public) Authority. He noted he would agree with Mr. Gabriels that step should be taken earlier in the process rather than towards the end of it. Ms. Nenninger replied she was not familiar with all the background other than the generalities they had discussed, so she was not really in a position to say what structure they would have to put the project in. However, she stated she could say they needed to look very carefully at the structures that are in place now relative to who has the authority and at what combination, either intermunicipal agreements or agreement with the LDC and whether they have the authority to enter into all these agreements and whether they have the authority to do that kind of funding. Ms. Nenninger said they could look into all those details. She advised she was not knowledgeable enough with the details of the plan to say what kind of 501(c)(3), who would set it up and how that would be done. They have an LDC, the County and all the towns and she said she did not have the specifics on how all that would be

done and what the authority for it is. Mr. Stec noted Ms. Tatich and Mr. LaMothe might have thought about that.

Mr. VanNess left the meeting at 11:17 a.m.

Mr. LaMothe stated there were two separate issues involved and the first was to build a facility. He stated relative to the aforementioned railroad project that work was not done under a separate agency and it is municipally-owned. He reiterated the concept that has been discussed for the operation of the outdoor theater was to mirror the railroad project. Mr. LaMothe stated for the production (drama) component of the theater the concept was to lease it to a production company that would probably be a not-for-profit corporation. He noted that was the idea of the people who proposed the first plan for an outdoor drama. Mr. LaMothe stated a board of directors was being established and Michael Stafford, who was the attorney for the Town of Lake Luzerne, has the incorporation papers for the not-for-profit that would like to have the chance to be the production company. Thus, he said he did not know why the County would need to have another 501(c)(3). Mr. LaMothe noted if another entity was needed they had always assumed that somehow it would be between the County and the LDC because it would be an economic development project that neither the County or the Town could do on their own. He advised the three-way intermunicipal agreement or partnership between the local municipality, the County and the LDC was the assumption this committee has discussed for the past two and-a-half to three years.

Mr. W. Thomas left the meeting at 11:19 a.m.

In reply to Mr. Tessier's query on what State agency they would seek funds from, Mr. LaMothe said the Governor's Office for Small Cities and the Department of State as they had been successful in obtaining funds from them previously. Mr. LaMothe commented as this is an economic development project they might be able to obtain other funds but not anywhere near the amount needed. Regarding how other outdoor dramas were funded, he said the facility in Ohio was owned by the municipality and they had received two HUD grants. Mr. LaMothe concurred with Mr. Belden that most of the other dramas were privately owned and that the one in North Carolina was operated by the Federal government. Ms. Nenninger stated if there was a federal flow-through of funds from HUD to a Federal program the County could probably be an applicant.

Mr. Belden noted these were the questions that needed to be answered and they should have acted to obtain the funding a couple of years ago. Mr. LaMothe advised the problem then was that there was not a fully committed site for the facility and that is still the problem now.

Mr. Monroe stated when the not-for-profit corporation is formed they needed to look very closely at it. He said he had spoken with a theatrical producer about the production aspect of the project, who told him they should discuss the design of any facility with the production company that will use it because it should be designed to fit the particular production. Mr. Monroe noted that part of it would have to be scheduled sometime between when they would commit to the project and

when the facility would actually be built. He acknowledged those steps would obviously be further down the road. Mr. LaMothe noted they felt a script for the drama would be needed to outline those details. Although, he said there is a preliminary script the Institute of Outdoor Drama did not think it was suitable so they have recommended someone else to write it. Mr. LaMothe concurred that would be done later on once there was a commitment that someone wanted to move forward with the project and that it would be funded.

Mr. Stec concluded from today's discussion the most important point was that apparently according to the one report that had been received the site in Lake George had been the preferred site except for a few problems. However, he said those problems have been resolved and with the aforementioned road, parking lot and adequate power the site has a \$2 million start on the infrastructure. In addition, he said the Town of Lake George is in a better financial position than the Town of Lake Luzerne should local financing be needed. Mr. Stec noted the decision to proceed with a 501(c)(3) corporation would be needed no matter which site was selected. However, he stated they needed to pick a course to take although he did not want to take anything away from the Town of Lake Luzerne because they had done a good job to get to the point where they are now.

Mr. Merlino responded he wanted the supervisors to know that it was not the supervisor, the Town Board or the residents who were turning the project to the County, but it was just that a review of the Town's finances showed they could not possibly afford it. He commented he would not be upset if the facility was built in another town and he would support that. Mr. Merlino stated he wanted to see the project move forward because of the benefit to the County and he thought that Mr. Tessier should accept it and move it forward. Perhaps, he added some other project might come up for Lake Luzerne which would even things out. Mr. Stec acknowledged Mr. Merlino's comments and concurred that the supervisors would remember that another project might go the Town's way in the future.

Mr. Stec stated it appeared there was agreement that the outdoor drama facility should be located in the Town of Lake George. The committee members concurred. Mr. LaMothe asked what that meant for the County.

Mr. Stec stated there was a motion on the floor that indicated the Town of Lake Luzerne was the preferred site for the outdoor theater facility. He asked Mr. Belden if he would like to amend the motion to indicate that the Town of Lake George is the preferred site for the facility.

Motion was made by Mr. Belden to amend his motion to refer a request to the Finance Committee for \$50,000 to fund the outdoor theater facility in the Town of Lake George. Mr. Mason seconded the motion, as amended.

Mr. LaMothe advised he believed there was a 2005 resolution that had authorized the County to provide \$50,000 to the Town of Lake Luzerne for the outdoor theater. However, he said he was not completely sure what the number of the resolution was. Mr. LaMothe asked if they wanted to

amend that resolution or consider adopting a new one.

Following brief discussion, motion was made by Mr. Belden to rescind the 2005 resolution. Mr. Mason seconded the motion.

Mr. Monroe stated he was not clear what the funding figures were from last year. He said he recalled the figure was \$50,000 from the County and another \$50,000 with \$25,000 coming from a grant and \$25,000 from another source. Mr. Monroe asked what \$50,000 would do and if \$100,000 was needed where was the other \$50,000 going to come from. Mr. Stec responded he thought what was discussed was if \$100,000 was needed they were talking about \$50,000, \$25,000 and \$25,000. Mr. Stec said he thought the \$25,000 grant was being matched somewhere; and Mr. LaMothe apprised it was to be matched by Lake Luzerne. Mr. Stec asked how that grant could be moved to the Lake George project. Ms. Nenner stated she did not recall that the 2005 resolution included any matching funds. She asked if they wanted the request to the Finance Committee to be for matching funds.

Regarding the matching grant, Mr. LaMothe confirmed the \$50,000 was a matching grant that had been awarded to Lake Luzerne to match and to be spent only there. If, he said the project is moved to Lake George, Lake Luzerne will lose that grant. Mr. Stec asked if the grant application could be modified to move the grant award to the Town of Lake George, and Mr. LaMothe indicated that could not be done. Mr. Stec stated then what they were talking about coming up with was a new package for \$100,000 which would be between Lake George and the County. Relative to the funding, he said they might ask the County to contribute \$75,000 and the Town \$25,000 or the Town and the County each do \$50,000 or something similar to that. Mr. Stec acknowledged he understood if the project was moved to Lake George the grant to Lake Luzerne would be lost. Mr. Monroe concurred they were still talking about needing \$100,000 or so between the County and the Town of Lake George.

Mr. Belden queried if Lake Luzerne had actually received the \$25,000 grant and what the source of it was. Mr. LaMothe confirmed Lake Luzerne had not received the grant funds and that the grant was from the Department of State. Mr. Belden suggested they should contact the Department of State to ask if the grant could be transferred to the Town of Lake Luzerne because it was for the same project. Mr. Stec and Ms. Nenner concurred with the suggestion.

Mr. LaMothe advised they would ask the Department of State that question, but he already knew the answer would be no. He explained the grant was for a project in the Hudson River Corridor which a project in the Town of Lake George would not fit into.

Mr. Stec stated there was a motion and a second on the floor to approve a resolution to rescind the 2005 resolution that had awarded the grant to Lake Luzerne. He called the question and the motion was carried unanimously. The necessary resolution was authorized for the next board meeting. A copy of a resolution request form for the item is on file with the minutes.

Mr. Stec stated there was a motion on the floor to approve that the Town of Lake George was the new preferred site for the outdoor theater project and at this point the figure being discussed was \$50,000. He said he thought since Mr. Tessier was present they should discuss whether that amount was adequate or if they thought the entire amount was \$100,000 or maybe more. If that is the case, he said perhaps they should work on a percentage basis between the County and the Town. Mr. Stec asked Mr. Tessier if the Town was good for one half of whatever the number was whether it was \$100,000 or \$130,000. Mr. Tessier acknowledged that was so.

Mr. Tessier stated Mr. Merlino needed to let his Town board know what was discussed today; and Mr. Stec agreed. Mr. Tessier stated the bottom line was to build the road which Lake George could do without a problem and that was the first two million dollars. However, he said even if Lake Luzerne could build a road to their site, financial assistance would still have to come from other sources whether the theater was in Lake Luzerne or Lake George. Mr. Stec agreed with Mr. Tessier that the road and utilities were only the first part of the project and the second part was the financing which was a whole other issue. Mr. Tessier concluded Lake George would have the same concern about that as Lake Luzerne. Mr. Merlino confirmed for Mr. Stec that he had said that Lake Luzerne definitely could not build the road or bring in utilities by themselves.

Mr. Stec concluded it came back to the fact that Lake George had a \$2 million head start on the infrastructure and that the previous feasibility study for the project needed to be updated to pertain to the Lake George site and that would cost about \$100,000. He stated Mr. Merlino needed to inform his Town board about the situation and Mr. Tessier probably needed to discuss with his Town board that they needed to pass a resolution to mirror what this committee hopefully was going to pass.

Mr. Stec suggested that perhaps Mr. Belden and Mr. Mason might want to amend their aforementioned motion and second to state that the County would cover half of the costs to update the feasibility study up to a certain cap with the understanding that hopefully there would be a matching resolution from the Town of Lake George. Mr. Stec asked if they wanted to amend their motions in this way.

Mr. Belden amended the motion to reflect that the County's share of the costs would be \$50,000. Mr. Stec pointed out the amount could be \$60,000 or one-half of whatever the number was and did he want there to be a cap on the amount. Mr. Belden stated the bottom line and the cap was \$50,000 and if, for instance, the cost was \$80,000 the County's share would be \$50,000. Mr. Belden concurred with Mr. Stec that the County would be good for the first \$50,000 or half the total whichever was larger. Mr. Stec asked if he wanted to state an upper number, for instance \$125,000.

Mr. LaMothe stated if they wanted to pursue the project they should prepare and issue an RFP (Request for Proposals) to see what the costs come back as. Then, he said they would have a figure to work with. Mr. LaMothe noted he thought what they had needed to hear was that someone was going to pursue the project and that there was some assurance that it would be

funded. Mr. LaMothe said then the Planning Department could prepare and issue the RFP and they would have costs that would be in today's dollars.

Ms. Johnson left the meeting at 11:35 a.m.

Mr. Stec asked if they were also looking to authorize an RFP at this time. Mr. Belden stated the \$50,000 from the County was for the RFP. He commented they would be having other meetings on the project and until some figures came back they did not have any definite costs. Mr. Belden stated they should move forward with the project.

Mr. Stec asked if the amendment to the motion was to approve the preparation and issuance of an RFP and a pledge that the County would cover one-half of the total costs and the County's minimum contribution was \$50,000. In reply to Mr. Mason's query if they wanted to put a cap on the amount; Mr. Stec said no. Mr. Belden reiterated the costs were unknown. Mr. Stec confirmed for Ms. Nenner that the RFP would be for preliminary engineering and design of the Lake George site.

Mr. Belden moved the motion as amended, and Mr. Mason seconded the motion, as amended.

Ms. Nenner stated that Mrs. Parsons had brought in the aforementioned resolution that the committee members had approved should be rescinded and it was No. 423 of 2005. She read that the resolution was entitled, "Authorizing Intermunicipal Agreement With Town of Lake Luzerne for Purposes of Joining With the Town in Causing Preliminary Engineering and Design for a Park Facility Which Will Include an Outdoor Theater". Ms. Nenner apprised the resolution stated the funding for the contract shall come from the Board of Supervisors account. Mr. Belden asked when the resolution was passed, and Ms. Nenner said it was at the July 14, 2005 Board of Supervisors meeting. Mr. Belden stated those funds were subsequently removed from the proposed (2006) budget.

Mr. Stec pointed out it should be realized that if they authorized expenses between the Town of Lake George and the County of \$100,000 - \$125,000 to prepare an RFP the public might question that the implication was that they were putting the County on the hook for the remainder of the costs of the project which could still total four or five million. Even though, he noted it is hoped the first \$2 million of the costs would be covered, at that total they would still be looking for another \$2 million and at the whole other process of finding a way to acquire those funds whether it was through a 501(c)(3), Public Authority, etc. Mr. Stec stated if they were going to spend this portion of the money they were committing towards following through with the project and perhaps potentially taking on a \$2 million nut. He said he was comfortable with doing that but he wanted to make sure the committee members were also. Mr. Stec said if any of the committee members or anyone else present wanted to be on the record that they opposed moving in this direction now was the time to speak.

Mr. Monroe stated he supported the project because he felt this was a relatively small investment

compared to what they could expect to receive in the future in sales tax. However, he said he was concerned whether they were comfortable that all the possible sites in the County for an outdoor theater had been looked at and that the Lake George site was the best one in the County. Mr. Monroe remarked he thought the answer was probably yes. Mr. Stec responded he felt it was the best site, but that was probably a question for the Planning Department staff.

Mr. LaMothe responded when the project was first discussed the staff had looked at the possible sites for it in-house and they had agreed that the Scaroon Manor property (in the Town of Chester) would not work. Mr. Monroe, Town of Chester Supervisor, acknowledged that was what he had in mind. However, he said he agreed the site would never work because the State was involved with the property and it would never allow the project to be built there. However, Mr. LaMothe said at that same time Richard Sipperly, of the State, had said if the County wanted to take over Prospect Mountain they could have it. He advised there was a road at the site and a parking lot and they had looked at it with the GIS and the back side of the mountain might work for a theater but he did not know for sure. However, he said he did not know if they wanted to spend two or three years haggling with the State and having to change the Unit Management Plan. Mr. Monroe agreed the State would not be likely to give up any of its land in the Adirondacks. Mr. LaMothe said initially there were five potential sites and three were considered. They looked at the third one which was Mike Brandt's land in Queensbury but a road would have had to be built there too, he added.

Ms. Nenninger recalled something was said about sales tax on tickets earlier in the meeting. She said she did not know if it was meant there would be sales tax on the actual admission tickets to the drama. Ms. Nenninger explained if there was a 501(c)(3) corporation it would have a certain exception with an admission to a live drama. Thus, she said whether this drama would fall under the exception would depend on how the ticket sales were constructed with concessions etc., which would all be tied together. So, Ms. Nenninger stated that particular part of the sales tax may not be there. Mr. Monroe confirmed he meant sales tax on all the peripherals such as meals, lodging, etc., not tickets. Discussion followed.

Mr. Gabriels stated he felt the sales tax issue was very minor in terms of a \$4 million investment. He asked when they would get to decide what kind of legal structure would be set up out of the various ones discussed today. Ms. Nenninger queried if he meant the construction of the actual facility on the parcel. Mr. Gabriels responded they also had to be concerned about who would run it. He remarked he was not going to volunteer to do that. Ms. Nenninger stated what she had heard discussed was only what Mr. LaMothe had said about the County being involved in the ownership of the facility itself. Relative to whether the County would have a 501(c)(3) to own the facility, she stated she did not know how that would be done but she could certainly look into all the possibilities and bring them back to the next committee meeting. Mr. Monroe stated the model Mr. LaMothe had referred to was municipal ownership with a lease to a production company. He concurred with Ms. Nenninger that the production company would be the 501(c)(3) corporation.

Mr. Gabriels said he was not sure he was clear on some of the legal aspects of the issue. He

noted their information could be correct, but he had not seen anything in writing that told the committee members that this would pass legally. Ms. Nenninger queried if he was asking whether they had the authority to do what was being discussed. Mr. Gabriels replied he assumed that was the case but he did not know that. Ms. Nenninger suggested perhaps they should obtain the specifics for a resolution contingent upon the County Attorney's findings on the question. She said she thought all that was in the (proposed) resolution was to look into the preliminary engineering and design for the project; and she asked if that was correct. Mr. Belden concurred.

Mr. LaMothe stated then there was going to be a bottom line cost of for example \$2.2 million. Then, he said they were going to ask who was going to write the check and if a check was going to be written how would all the components work. Mr. LaMothe advised the only agreement was the aforementioned intermunicipal agreement to do the preliminary design report. He stated once that would come off the table, then all the players would decide what the next steps would be. Mr. Stec concurred all that was correct. Ms. Nenninger noted the intermunicipal agreement was between the County and the Town of Lake George not the LDC.

Mr. Stec pointed out that when the committee members voted on this today they were heading in the direction where they were going to consider those questions. However, he stated at this time they were not imminently facing a decision on a \$2 million purchase, but after today they would have authorized \$100,000 that will lead them to a decision. Mr. Stec commented they needed to be sure about the decision on the funds because he did not want to have to say they had been wasted. He concurred with Mr. Tessier that they could not go any further than to authorize a study to find out what the costs would be and where the funds were going to come from.

Mrs. Parsons asked whether the County or the Town of Lake George was the lead agency on the project. Mr. Stec replied he was under the impression that at this point it was the County and that was what had been moved and seconded. Mr. Belden noted that was because they felt the County would be best at obtaining any grants; and Mr. Stec agreed.

Relative to Mr. Gabriel's concerns, Mr. Monroe suggested the motion be amended to reflect that the entire project was contingent upon the answer to whether or not the County had the legal authority to own the facility and to lease it to a non-profit agency. He commented they would not want to spend \$100,000 and find there was a legal obstacle to the project.

Mr. Belden moved to amend his motion accordingly; and Mr. Mason seconded it, as amended.

Mr. Belden asked Ms. Nenninger if she would have the answer to the legal question by the Finance Committee meeting which was next week. Ms. Nenninger asked for confirmation if the the structure being discussed was that which had been discussed all along that the County would own the facility and lease it out to some sort of non-profit. Mr. LaMothe replied that was not what he had assumed since even when the project was going to be in Lake Luzerne the idea was that it would still remain in town ownership. Ms. Nenninger said the former resolution contemplated

that.

Ms. Tatich asked if whoever was going to pursue funding for the project, i.e., the County, committee or whomever, would be open to private sponsorship of the theater beyond whatever funds would be available from the State. Mr. W. Thomas and the committee members agreed that would be the case. Mr. Gabriels asked if with private sponsorship the revenues would be shared. Mr. Stec replied such details would be part of any contract for the facility which would be worked out at a future date.

Mr. Stec called the question and the motion, as amended was carried unanimously.

Mr. Stec commended Mr. Merlino and his Town board for their efforts relative to the project. Mr. Merlino acknowledged the remarks.

Motion was made by Mr. Gabriels to approve a resolution to have the Planning & Community Development staff submit a request to the Department of State that the aforementioned grant to the Town of Lake Luzerne for the outdoor drama be transferred to the Town and Village of Lake George. Mr. Belden seconded the motion and it was carried unanimously. *(Note: Subsequent to the meeting it was determined that the Town of Lake Luzerne was the applicant for this grant and not the County so a resolution would not be done on this request.)*

Messrs. Merlino and Mason left the meeting at 11:50 a.m.

Ms. Tatich spoke on the Access to Home Program award and the NY Main Street Program award (Planning General: Project Updates and Discussions Agenda Item No. 3). She advised an issue has arisen concerning these awards. Ms. Tatich explained the Access to Home Program grant funds are used to provide upgrades to homes owned by people with physical handicaps so they can remain living in their homes. Regarding the NYS Main Street Program, she said the committee members would recall that staff time is being invested to develop their skills to do this program.

Ms. Tatich explained that last year the New York State Housing Trust Fund Corporation awarded \$200,000 to the County LDC for these programs so the funds came to the County from the LDC. However, she stated in the process of starting the programs to carry out the funding awards they have come to a fork in the road where they were trying to establish the contractual relationship between the County LDC and the County via the Planning & Community Development Department for the management of the programs. In this process, Ms. Tatich stated they have stumbled into an area where they are not sure where they are.

Ms. Tatich explained neither of these programs includes administrative funds and the grant awards are not State pass-through dollars. She advised the funds had come to the Housing Trust Fund Corporation from fees from another program they had managed and it was the Governor's intention to utilize the funds to offer a program under which communities through non-profits could

access these funds. Ms. Tatich commented the \$200,000 was the tip of the iceberg in what could be available in these funds because the Legislature has appropriated \$20 million to the Housing Trust Fund Corporation for these programs with a commitment of another \$10 million for the next four years to continue them. These funds are in addition to the funds from the management fees the Corporation is using, she said. Thus, Ms. Tatich apprised there is the potential of a \$30 - \$40 million program for fiscal year 2007 that they had intended to set up the ground work to apply for additional funds from. She stated she had asked Ms. Nenninger to attend this meeting because Mr. LaMothe, Ms. White, the Department's Business Development Coordinator, and herself have been discussing with her how to make the programs work in view of the problems that have arisen concerning them.

Mr. Mason and Ms. Johnson returned to meeting; and Mrs. Parsons left the meeting at 11:53 a.m.

Ms. Nenninger advised the issue is the authority the County has to undertake these types of projects. She explained that most of the previous grants have been funded with Federal pass-through dollars through the Small Cities Program and the County has been the applicant and the recipient of the grant funds and has administered them. Because the Planning Department has been so successful in being awarded grants they continue to receive and administer them, she added. Ms. Nenninger noted as Ms. Tatich had said there are additional funds that are coming through a different source which is the State Housing Trust Fund Corporation. However, she explained the funds the Corporation is using for the grant awards are not from a Federal program that has Federal pass-through dollars which in the past was how they had defined a lot of their authority to proceed to apply for and administer these grants.

Continuing, Ms. Nenninger advised because of the different funding sources of these two programs, which are each funded at \$200,000, they are structured so that the Housing Trust Fund Corporation applicants have to be not-for-profit or charitable corporations. Thus, she said the County was not an eligible applicant for the grants. Ms. Nenninger stated the LDC applied and received both grants with the understanding that because there are no administrative dollars the Planning Department would act as the LDC's administrative arm. She explained because this was a totally different structure than how the County had done a lot of its previous grants the issue arose of whether the County has the authority to act as the administrative arm of the grants for the LDC.

Ms. Nenninger stated each grant has to be looked at individually to find the authority of the structure of the grant. At this point, she advised for these two programs they have not found the authority that they felt would allow the Planning Department to act as administrators for the LDC. Ms. Nenninger confirmed the LDC was an appropriate applicant and recipient of these grants but because the grant funds do not contain administrative funds they cannot hire an administrator to manage the programs. In view of the situation, she advised the issue is how to pay to administer the programs, if it is correct that the Planning Department cannot do so. Ms. Nenninger stated that was the point they are at right now. Although, she said they are discussing the situation and

are continuing to look for the authority that other experts might be able to help them with at this time they do not believe they have it. Ms. Nenninger said they have discussed possible ways to do this, but they have not yet resolved the issue and the LDC has not met to do that either. Ms. Nenninger stated they wanted to make the committee members aware of this issue. She added as long as the grant funds come through the Housing Trust Fund Corporation they would continue to have to look at each grant individually for the authority to administer them. However, Ms. Nenninger noted some grants may come in from different sources that the department might be eligible to apply for but they seemed to be going in the direction that not-for-profits are the eligible applicants.

Ms. Tatich commented she was very concerned about this situation as it impacted what they did as planners and their work in assisting communities with different projects. In that regard, she stated this situation involved a number of issues relative to how funds flow through the LDC. Ms. Tatich said she would be quite upset if they were not going to be able to manage the Main Street Program. They have finished the environmental review on the program, she added. Ms. Tatich said she had spoken with the person that runs these two programs yesterday and told him they are not sure if they can manage them but they were trying to find a way to do so. She stated she did know that there are other municipalities, i. e., the City of Albany that have used their LDCs as the grantee. However, she said they could be cities or towns which went along with Ms. Nenninger's comment that there are all different levels of authorities that would give those communities the right to work on the programs.

Ms. Tatich stated the worse case scenario would be that they would have to return the grant funds which come to \$400,000. She expressed concern about how they would tell the Town of Johnsborg that they could not continue to work on their Main Street Program. In addition she advised they currently have two grant applications pending with one being for HOME Program funds which are through the Housing Trust Fund Corporation and one for Small Cities funds. Ms. Tatich commented she thought the committee and the Board of Supervisors' message was to apply for funds and carry out various projects. Ms. Tatich stated they had also spent almost \$12,000 on two homes in the Town of Chester under the Access to Home Program although they probably would have done that if they had not had these funds.

Mr. Monroe suggested they should ask the County's Legislators to propose a bill to ask the State Legislature to clarify the law that determines whether or not the County has the authority to administer and manage State grant funds awarded to the LDC. He noted other counties must be having the same problem.

Motion was made by Mr. Monroe, seconded by Mr. Gabriels and carried unanimously to approve the aforementioned recommendation and to refer it to the Legislative Committee.

Discussion ensued, and Ms. Nenninger advised they were also going to talk to the City of Albany and some other communities about their structures for the administration of these grants. She noted according to Ms. Tatich not that many grants are structured this way. Mr. Mason asked

what the repercussions would be if the department just went ahead and administered the programs, although he acknowledged ignorance of the law was not a valid argument. Ms. Nenninger concurred. She advised they were well aware of it and it would be illegal. Ms. Nenninger stated the best of the situation would be that they would have to return the money and the worst would be that they would be charged with something they would not want to be charged with.

Mr. LaMothe advised the grant application says the Planning Department staff will administer the grants on behalf of the LDC and the State Office of the Comptroller and whoever wrote the contract for the LDC that has been signed and returned meant the State is fully aware of this arrangement. Thus, he said they should not find an issue with this although they might not be looking for one. Mr. LaMothe stated in view of the contract being signed he hoped that meant a red flag was not being raised somewhere and that there is a way to make this work. Ms. Nenninger commented they did not arrive at this opinion easily and they think perhaps whatever the City of Albany is doing could be done. However, she cautioned the fact the State granted the funds to the LDC does not mean it is all right. Mr. LaMothe acknowledged he understood that, but he thought there was hope the matter could be worked out.

Ms. Tatich stated the issues the staff is involved with are general management in nature such as making sure audits are done and taxes are filed on time, etc. There is also the issue of making sure the Micro-Enterprise Program loans that are part of the LDC are paid back on time which Ms. White handles, she said. Ms. Tatich said then there are the other economic development projects with the Main Street Program and other big projects which have grown the LDC's portfolio to close to \$2 million quickly so the supervisors as the LDC Board of Directors will want them to use the funds to do other programs, etc. She noted during their discussions with Ms. Nenninger it was mentioned that perhaps the LDC should have a part-time staff person but they agreed that no one in the department was leaving to do that. Perhaps, she said they should not have an agreement with the LDC at all and they could do their general planning work and let the LDC Loan Committee and a part-time person handle those affairs and they could sneak by that way.

Ms. Nenninger stated she did not think they could say they were not administering the programs and then do so. They are trying to find some way to do it and they talked about the LDC possibly having an administration function for these particular grants, she said. Mr. Monroe asked if the problem was that the department cannot administer the grants for no pay but they could be paid to do so. Ms. Nenninger replied no that was not the case. Mr. Monroe concurred he was asking if the County could hire the department out to administer private grant programs. Ms. Nenninger explained Ms. Tatich felt that an individual's administration was important to the grant so they were looking at someone doing that as a second job so to speak because no one was going to leave the County to work for the LDC. However, she said she was not clear if there was an authority to do that either.

Mr. Mason commented they should certainly look for every possible way to be able to do this so the grant funds could be utilized. Ms. Nenninger said they know the LDC could administer the

grants but they did not have anyone to do that and there are no funds for a staff person. Thus, she said the question was could they legally, with the funds they do have, use some percentage of them for administration purposes and who would do that, i.e., should an outside company be hired. She said they would continue to see what could be done to resolve the situation. Ms. Tatich stated she had explained to Ms. Nenninger during their discussion that the LDC does make money on its funds that it loans out and that statutorily they can take up to 20% for administration so there was the potential to use some of those funds to hire someone. She noted that was how part of Ms. White's salary is funded; the thought was perhaps to hire someone in this case. However, Ms. Tatich said using the funds for the salary keeps the County's costs down so they would be spent for private enterprise to do the Main Street Program. She noted she did not know what they would do with the Access to Home Program other than to find a non-profit to run it.

Mr. LaMothe advised the situation is time critical because they are under contract to spend the grant funds and if they do not do so the funds will be recaptured which would adversely impact their other two pending applications. Ms. Nenninger stated even if a way is found to have the LDC administer the grants it is not clear that there is a group readily available who would do that.

Mr. Gabriels asked what model would provide greater transparency to the general public for the use of these Federal funds, the old way or the new way that they are uncertain about. He noted the State Comptroller had recently discussed the issue of Public Authorities. Ms. Nenninger responded she did not know if this issue was related to that as much as that currently there happen to be funds available in a different place. She noted one of the grants they are looking at is through the Small Cities Program and most of those grants are Federal flow-throughs. Ms. Nenninger stated she was not clear that everything they used to do will go away and that in the future they cannot apply for other grants in various places. This just happens to be the format in the State right now, she said. Ms. Nenninger noted on a broader scale she did not have an answer except if moneys were available elsewhere the County would be an eligible applicant and could do as it wished under those grants with authority. However, she said that was not the case with these grants which made it difficult and they needed to find something in the law to resolve the problem.

Mr. Geraghty left the meeting at 12:16 p.m.

Ms. Tatich noted the State seemed to prefer the non-profit format to put the funds through as it had allocated \$40 million to the Housing Trust Fund Corporation. Ms. Nenninger commented perhaps in the future there might be a way to structure the LDC so it would be able to administer grant funds in a larger way than it does now.

Mr. Stec thanked Ms. Nenninger and she left the meeting at 12:18 p.m.

Review of the agenda items resumed and pursuant to Item No. 1 under Committee Actions: Resolutions and Requests: Ms. Tatich requested approval of a transfer of funds from Community

Development Codes in the total amount of \$1467.54 to complete upgrades for computers for department personnel.

Motion was made by Mr. Belden, seconded by Mr. Mason and carried unanimously to approve the aforementioned request, as presented, and to refer it to the Finance Committee. A copy of a resolution request form and the interfund transfer are on file with the minutes.

Pursuant to Planning General: Project Updates and Discussions Item No. 1, Ms. Tatich advised there will be a vacancy on the County Planning Board from the Town of Queensbury as Thomas Haley will be resigning from the Board in May. Mr. Stec stated he would try to find someone from the Town to fill the vacancy.

Next, Ms. Tatich spoke on the Abbreviated Consolidated Plan (Agenda Item No. 4, Planning General: Project Updates and Discussions). Relative to the Plan, she stated at some time before the end of the year they would like to visit every community in the County for the purpose of identifying a list of projects that need attention and what the costs and time frames would be to carry them out. The information would then be brought to the committee members to discuss relative to funding proposals, she said. Mr. LaMothe explained the County's Abbreviated Consolidated Plan needed to be updated as it was last approved by resolution in 1999.

Mr. Monroe commented it appeared that from 1999 until now with the skyrocketing costs of housing there is a tremendous need for affordable housing. He noted a Housing Survey the department had done recently really illustrated that fact. Mr. Monroe stated he thought that would be the answer at least in the Town of Chester. Mr. LaMothe noted such needs would be reflected in the updated Plan. Relative to the issue, Mr. Monroe said the Legislature had passed a budget bill for \$2 million for the Adirondack Community Housing Trust, and he asked if they knew if that had stayed in the State budget or if it was vetoed by the Governor. Ms. Tatich replied she did not know the status of the bill. Mr. Stec noted there was a pending item on a Community Housing Trustees' Program in the County (Pending Item No. 4).

Mr. Mason asked if a resolution was needed relative to the Abbreviated Consolidated Plan Update; and Mr. LaMothe replied they would bring the proposed updates back to the committee members for their review before a resolution would be done.

Ms. Tatich proceeded with review of the Pending Items. A copy of the Pending Items List from the Clerk of the Board of Supervisors Office was included in the agenda packet. Ms. Tatich noted the first item concerned the status of possible solutions for housing rehabilitation program problems relative to funding the Mobile Home Replacement Program. She recalled pursuant to the discussion at the last committee meeting on this item the committee members had indicated they wanted these program funds to be used to repair the septic system at the (County) Countryside Adult Home.

Ms. Tatich reported they have discussed this matter with representatives of the Governors Office

of Small Cities. However, she said the agency has not yet committed any funds because they wanted to wait until the last funding round was completed. Ms. Tatich advised that has occurred and they have a draft package of information on the project to bring to Small Cities. She said they hoped to be able to bring the agency's response back to the committee by May which would be in sufficient time to get the repairs under way.

Mr. LaMothe asked if there was any more information on the project and if the (County) was going to contract it out or do it in-house. Ms. Sady replied the work was going to be contracted out and the resolution to award the bid for it to the low bidder was adopted at the April 13, 2006 Board of Supervisors meeting. Mr. LaMothe advised that triggers Davis-Bacon requirements which will increase the project's costs by 30% or so. He stated they would have to look at things where they only provide the materials. Ms. Sady advised the assumption was that any funds for the project would be as a reimbursement because the funds had already been approved. Mr. LaMothe said they would see what they could do relative to the situation.

Dialogue ensued between Mr. Belden and Ms. Tatich on the Mobile Home Replacement Program. In reply to Mr. Belden's query on the number of mobile homes that have been replaced to date, Ms. Tatich said they had been approved for seven units and the one in Hague was just closed on. In addition, she stated they had submitted two projects to the Rural Development Program and they were advised today that they have been forwarded to the Program's offices in Syracuse so they hoped to complete three projects. Ms. Tatich stated they have identified several homes in Chester and Horicon, but it was thought the aforementioned septic system was a worse case scenario so that was the option that was offered to Small Cities. She said when there was more time at another meeting they could report on what has been done under this program. Ms. Tatich confirmed for Mr. Belden that the deadline to expend these funds was September 26th.

Mr. Stec noted relative to the issue of home replacement, a few weeks ago perhaps the committee members had seen the newspaper story about a Queensbury homeowner who had lost his home in a fire. He stated the owner did not have any insurance. In the meantime, Mr. Stec said one of his neighbors who is a small contractor has put together a coalition of people who are donating materials and labor to rebuild the house and the work was proceeding. Mr. Stec asked if there was any County funding that could possibly be looked at to assist the homeowner. Mr. LaMothe replied the owner would first have to be income eligible and he was not saying anything would be available. He explained the dilemma was that Queensbury had been applying for housing funding on its own so the County was out of the mix and under the stipulations for housing funding the County could not cover Queensbury. Mr. Stec acknowledged the information. However, he said the applications Queensbury has been submitting were for a certain geographical portion of the Town and this home was outside of that area. Ms. Tatich stated they would look into the question and let Mr. Stec know what they find out.

Mr. Belden moved that the County should help in this case if possible. Mr. Gabriels seconded the motion and it was carried unanimously. Mr. Stec stated the homeowner is Kim Nelson and the location is on Stewart Road.

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Concluding the Pending Items, Ms. Tatich noted Item No. 3, relative to the County's concerns about the aforementioned outdoor drama project had been discussed. She stated Item No. 4, the possibility of having a Community Housing Trustees' Program in the County could be carried forward for another meeting. She noted she did have some information on this program. Mr. Stec concurred.

There being no further business, on motion by Mr. Mason and seconded by Mr. Monroe, Mr. Stec adjourned the meeting at 12:26 p.m.

Respectfully submitted,

Katy Goodman, Secretary to the Clerk