

**WARREN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
FRIDAY, FEBRUARY 17, 2006**

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 10:10 a.m.

Mr. William Thomas presiding.

Salute to the flag was led by Supervisor Mason.

Roll called, the following members present:

Supervisors Monroe, Girard, Sheehan, Mason, O'Connor, Kenny, Belden, Bentley, W. Thomas, Tessier, Merlino, Stec, Caimano, Champagne, VanNess, Barody, F. Thomas, Haskell, and Geraghty - 19.

Absent: Supervisor Gabriels - 1.

Motion was made by Mr. Barody, seconded by Mr. Tessier and carried unanimously, to approve the minutes of the January 13, 2006 Board Meeting, subject to correction by the Clerk.

Chairman Thomas declared the public hearing open on proposed Local Law No. 2 of 2006, providing for the Maximum Exemption Allowable for the Alternative Veteran's Exemption from Real Property Taxation.

Clerk read the Notice of Public Hearing.

Chairman Thomas announced that the hearing would remain open until 10:15 a.m. in the event anyone wished to speak may appear.

Privilege of the floor was extended to Mr. Swan, Director of Real Property Tax Services, who explained that while property values had escalated considerably over the past several years, the Veteran's Exemption had not increased. He said this proposal would bring the exemption up to the level it was intended to be, based on the level of current assessment. Mr. Swan said that this was not a new exemption; it was merely a recalculation and the revision would be automatically applied to those already receiving the veteran's exemption.

Mr. Stec commented that as a veteran and as chairman of the Veterans' Services Committee, he wholeheartedly supported this resolution and he thanked Mr. Swan and the Real Property Tax Services Committee for bringing it before the Board of Supervisors.

Mr. Belden stated that, as chairman of the Real Property Tax Services Committee, he shared Mr. Stec's sentiments and supported this increase in the veterans exemption.

Mr. Bentley asked for clarification that the towns would be required to enact a local law

in order for the exemption to be applied to the town tax and Mr. Swan replied affirmatively.

Mr. Bennett, former supervisor for the Town of Lake Luzerne, commented that veterans had historically been forgotten after their service to their country and he said he trusted that the Board of Supervisors would help maintain the level of dignity that these people were deserving of.

Chairman Thomas declared the public hearing on Local Law. No. 2 of 2006 closed at 10:20 a.m. *(Please note that subsequent to the meeting, it was determined that pursuant to Resolution No. 163 of 2006, the Public Hearing should be held at the March 17, 2006 Board of Supervisors meeting. Please refer to these minutes for the correct hearing minutes.)*

Privilege of the floor was extended to County Attorney Paul Dusek for an update on two issues that had arisen during recent committee meetings which he had been instructed to fast track. The first, he said, was a request to develop an RFP (Request for Proposal) for the design and construction of the Health and Human Services Building in order to get that project underway. The second issue, Mr. Dusek apprised, related to development of legislation for the Warren County Convention and Sports Authority.

Mr. Dusek distributed a draft RFP for review by the Board and advised that his recommendation would be to first retain the services of an engineer to help develop the specifications for the construction manager, who would be hired two or three months later, while the project was in the schematic stage.

Mr. Dusek advised that based upon the suggestions of Mr. Remington, Superintendent of the Department of Public Works, he had set up the RFP to include an option to submit an additional proposal for the addition/renovations to the Municipal Center. Mr. Dusek explained that this would allow the supervisors the option of selecting one proposal, both proposals or of picking items "cafeteria style" from the proposals.

Mr. Caimano recounted that they had attempted to do that on a previous RFP and it led to a great deal of confusion and the bids being incorrect and inconsistent. Mr. Dusek said he had addressed that problem on page 10, item 3 of the RFP and it was highlighted in bold letters. He noted the instructions were very, very clear and stated that separate fee proposals must be submitted for each of the two projects.

Mr. Dusek drew attention to page 2 of the RFP and explained that Mr. Remington had provided him with some basic information on the proposed renovations/addition so that the engineer's would have some idea what they were bidding on.

Mr. Dusek next referred to the time table on page 12 and noted the RFP would be issued today (February 17th), on February 27th, he said, there would be a mandatory tour for the engineers and the proposals would be due on March 16, 2006. Mr. Dusek recommended the proposals be reviewed by the County Facilities Committee at their meeting on March 28th and

recommendations submitted to the Board of Supervisors for their consideration on April 14th. Mr. Kenny suggested the date for the mandatory tour be moved back to allow the engineering firms adequate time to arrange their schedule.

Mr. Caimano also stated that the date for the April meeting of the Board of Supervisors was going to be changed due to the fact that the scheduled meeting fell on Good Friday.

Mrs. Parsons recommended that the requested number of copies of the proposals be increased from twelve to twenty and Mr. Dusek concurred.

A motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to authorize Mr. Dusek to amend the timetable as discussed and send out the RFP's.

The second issue related to the creation of a public authority to research the option of a convention and sports authority, Mr. Dusek explained. He distributed a draft of the legislation required to create a public authority and a copy of same is on file with the minutes. Mr. Dusek emphasized that this was strictly a draft document and could be changed in any manner the supervisors deemed appropriate.

Mr. Dusek first referred to Section e on page 5, which related to the general purposes and powers of the authority, and he reviewed in detail the four purposes. Mr. Dusek asked if the Board felt he had captured what they were looking for the authority to do.

Mr. Caimano said that in addition to the Glens Falls Civic Center and the Gaslight Village property, there were additional venues included in this proposed authority, such as the Lake George Forum and East Field, and he wondered if by not specifically listing them they would be eliminated from future consideration. Mr. Dusek advised that the first clause of the legislation would allow the authority to include those later, and Mr. Caimano said he was concerned about the use of the phrase "broad authority" and then specifically listing certain specific venues. Mr. Dusek said he mentioned the Lake George property because that is what had driven this program and the inclusion of the Civic Center was something that was very important to Senator Little; however, he added, the statement "and/or at such other locations as shall be approved by the governing board of the County" did give the authority to add other locations.

Referring to Item d, number 1 on page 4, Mr. Dusek reviewed the suggested criteria for the Governing Board of the Authority, which he recommended be comprised of seven members consisting of the following:

- 1-member of the governing body of the County of Warren;
- 1-member nominated by the governing body of the Town of Lake George;
- 1-member nominated by the governing body of the Village of Lake George;
- 1-member nominated by the governing body of the City of Glens Falls;
- 1-member representing the hospitality industry in Warren County;
- 1-member representing the banking industry in Warren County;
- 1-member shall be a certified public accountant.

Mr. Dusek apprised that the criteria for the last three members could be modified in the event the Board could not find an individual with those qualifications.

Mr. Barody said he did not think that the governing board should be comprised mainly of politicians. He said he wanted to make certain they obtained qualified people from the areas of expertise that were needed.

Mr. Caimano reminded everyone that several years ago they had gone through a similar experience with the Warren County Economic Development Corporation. At that time, he noted, the County had provided additional funding to rejuvenate this failing operation and five supervisors were appointed to the EDC Board to watch over the County's monies and help get this project off on the right foot. However, he added, it became clear thereafter that there were individuals with expertise that would better serve the needs of this Board. Mr. Caimano said the only politicians currently serving on the EDC Board were City of Glens Falls Mayor Akins and Town of Queensbury Supervisor Stec. Therefore, he said, there was a precedent set for providing the funding and having a committee to oversee it, but letting the individuals with the expertise make the decisions.

Chairman Thomas suggested further discussion was needed and perhaps a workshop of the Board of Supervisors should be set for that specific purpose. The date for the workshop to discuss the creation of a public authority was set for Thursday, February 23rd at 10:00 a.m.

Mr. Barody requested that Mr. Dusek contact Senator Little and Assemblywoman Sayward to determine when they would need the proposed legislation in their hands for introduction. Mr. Dusek said he would have that information by the workshop date.

Mr. Dusek asked that the information he had prepared be read and reviewed and he drew attention to Section f on Page 7 which addressed advances on behalf of the authority.

Mr. Barody asked the status of the update of the feasibility study completed by the Pinnacle Advisory Group in 1999 and Mr. Dusek advised that Resolution No. 171 of 2006 was included in the packet and authorized a contract with the Pinnacle Advisory Group to update this study at a cost of \$35,000. Mr. Dusek said that the resolution indicated that a RFP (Request for Proposal) was not required because the Pinnacle Advisory Group had previously been retained by the County based on a solicitation of proposal and they are actually the only firm in a position to resume and update this work in a timely and efficient manner.

Mr. Belden asked if there was time to prepare and send out an RFP and Mr. Dusek said that it would be at least three or four weeks before they received any responses.

Mr. Barody said this was not just a rubber stamp update of what they had before and there was a lot more criteria to be considered.

Mr. Champagne commented that before he could act on this legislation, he would feel

more comfortable reporting to the taxpayers if this study were updated to 2006.

Mr. Barody said they were not only looking at possible convention center locations again, but were also studying the associations that would come here for meetings and evaluating what the size of the facility should be. Based on their recommendations for the size of the facility, Mr. Barody said they would ask Pinnacle Advisory Group to prepare a proforma of the convention center, as well as identify the number of hotels/motels in the area.

The following committee chairmen presented verbal reports on February meetings or activities:

Supervisor Monroe, Finance, Solid Waste; Supervisor Sheehan, Support Services and Information Technology; Supervisor Mason, Insurance; Supervisor Kenny, County Clerk/Motor Vehicles; Supervisor Tessier, Airport, Tourism, Social Services; Supervisor Stec, Planning and Community Development; Supervisor Caimano, Ad Hoc Committee assigned to make recommendations relative to the Administrative Office of the Board of Supervisors; Supervisor Champagne, Community College; Supervisor VanNess, Fire Prevention & Building Code Enforcement; Supervisor Barody, Health Services, Economic Development; Supervisor F. Thomas, Extension Services; Supervisor Haskell, County Facilities, Parks, Recreation and Railroad; Westmount Health Facility and Countryside Adult Home.

Mr. Monroe reported that at the Warren-Washington Solid Waste Coordinating Committee meeting, it had been recommended that an Ad Hoc Committee of two members from each county be appointed to negotiate with the Town of Hartford and any prospective buyers of the Hartford Landfill. However, he said, after meeting with Washington County, Mr. Monroe said they preferred four-members from each county on the Ad Hoc Committee.

Chairman Thomas said that Resolution No. 95 of 2006, Establishing the Bi-County Ad Hoc Committee would need to be amended to reflect four members as opposed to two. He advised that Mr. Monroe and Mr. Tessier were already appointed to the committee. Mr. Monroe recommended Mr. Champagne and Mr. Geraghty be appointed to this committee to bring the Warren County members to a total of four.

A motion was made by Mr. Tessier, seconded by Mr. Sheehan and carried unanimously to amend Resolution No. 95 of 2006 as outlined above.

Mr. Champagne stated that as Chairman of the Warren County Sewer Committee, it was his pleasure to announce that the Hague Wastewater System had been awarded the American Public Works Association Capital Branch Project of the Year Award. Mr. Champagne noted this was a very innovative system and he credited the efforts of Mr. Belden, Supervisor for the Town of Hague and Mr. Lamy, Warren County Sewer Administrator. A copy of the letter from the American Public Works Association is on file with the minutes.

The supervisors and audience responded with a round of applause.

Messrs. Belden and Lamy left the meeting at 11:00 a.m. to attend a meeting where the award would be presented.

A motion was made by Mr. Stec, seconded by Mr. Caimano and carried unanimously to table action on Resolution No. 119 of 2006, Authorizing Out-of-State Travel for Wayne LaMothe, Assistant Director of the Planning and Community Development Department, to attend the Outdoor Drama Conference.

Mr. VanNess reported that Warren County housed their Hazardous Material Vehicle at the West Glens Falls Station #2 and he read a letter he had received from the West Glens Falls Fire Company #1, Inc., requesting that Warren County's hazardous material truck be removed within the next thirty days, due to some room constraints. A copy of the letter is on file with the minutes.

Mr. Haskell reported that Thomas the Tank would be in North Creek from May 19th to May 21st and from May 26th to May 29th and it was anticipated that over 20,000 people would visit the area to see Thomas the Tank.

Mr. Merlino spoke regarding the upcoming visit of Thomas the Tank to the North Creek area and said he had requested that the train be unloaded at the southern end of the rail line in the Town of Hadley for half a day before proceeding to North Creek. Mr. Merlino said he would welcome the Board of Supervisors support of this proposal.

A motion was made by Mr. Caimano, seconded by Mr. Stec and carried unanimously to authorize the Chairman of the Board to send a letter of invitation to the operators of the Hudson River Railroad in support of having Thomas the Tank visit the Hadley train station during this time period specified above to promote the rail system from Hadley to Johnsbury.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from: Lake Champlain/Lake George Regional Planning Board;
Community Mental Health Services Board and its Sub-Committees;
Adirondack Glens Falls Transportation Council;
Warren/Washington Counties IDA;
Emergency Response and Preparedness Committee;
Soil and Water Conservation;
Warren County Planning Board.

Monthly reports from:

Probation Department;
Weights & Measures;
Veterinarian.

Annual reports from:

DPW;

Youth Bureau;
Warren County Soil & Water Conservation.

New York State Department of Transportation, Draft Plan of Transportation Strategies.
Washington County, Resolution appointing Warren-Washington Counties IDA members.
Adirondack Park Agency Local Government Review Board, several reports regarding
affordable housing in the Adirondacks.

Warren County Treasurer, 2005 Annual Dog Licensing Report.

Town of Queensbury, Zoning Board and Planning Board Agendas for February and
announcing a public hearing on April 3, 2006 regarding a temporary moratorium
on professional office zoning.

NYS Office of Parks, Recreation and Historic Preservation, extending comment period
on the draft master plan on Moreau Lake State Park to March 20, 2006.

James D. Quirk Family, in appreciation of the Service to Community Program held on
February 1, 2006.

Nancy Harrigan, letter of resignation from the Community Services Board effective
January 10, 2006.

Timothy J. Tyree, letter of resignation from the Community Services Board effective
January 10, 2006.

Joan Parsons, letter of resignation as Clerk of the Board of Supervisors and as Second
Deputy Purchasing Agent to accept the full time position of Commissioner of
Administrative and Fiscal Services.

Communications, resolutions and reports ordered placed on file.

Chairman called for reading of resolutions.

Mrs. Parsons reported that Resolution Nos. 94 through 153 were mailed and a motion
was needed to bring Resolution Nos. 93 and 154 through 176 to the floor.

A motion was made by Mr. Haskell, seconded by Mr. F. Thomas and carried
unanimously to bring Resolution Nos. 93 and 154 through 176 to the floor.

Mrs. Parsons noted that the original Resolution No. 97 of 2006 was mailed in error and
was a duplicate of a previous resolution; therefore, she said, the new Resolution No. 97 of 2006,
Accepting Settlement Offer from the Department of Health for Social Services is the
replacement. In addition, she said, Resolution No. 150 of 2006 had been amended to include
a Schedule A attachment.

A motion was made by Mr. Caimano, seconded by Mr. Stec and carried unanimously to
approve the amendments to Resolution Nos. 97 and 150 of 2006, as outlined above.

Mr. O'Connor requested a roll call vote on Resolution No. 158 of 2006, Authorizing
LARAC to Participate With Vendors in the Adirondack Hot Air Balloon Festival. He further
commented that it was his understanding that the Airport Committee agreed to allow LARAC

representatives to discuss with the organizers of the Balloon Festival whether or not they could appear there. Mr. O'Connor said the way the resolution was written, LARAC could participate without the approval of the Adirondack Hot Air Balloon Festival Committee.

A discussion ensued and Mr. Tessier commented that the intent of the Airport Committee was to allow LARAC to negotiate with the Adirondack Hot Air Balloon Festival Committee to see if an agreement could be reached.

Mr. Kenny said there was some question as to who LARAC should be negotiating with, whether it was the Adirondack Hot Air Balloon Festival Committee or the County, since they owned the airport. He recommended a meeting be set between the Adirondack Hot Air Balloon Festival Committee, LARAC and the Airport Committee.

Consensus of the committee was that the Resolution, as presented, did not accurately reflect the actions of the committee.

A motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to table Resolution No. 158 of 2006 pending a meeting to discuss the matter with representatives of the Adirondack Hot Air Balloon Festival Committee, LARAC and the Airport Committee.

Mr. Kenny referred to Resolution No. 96 of 2006, Appointing Members to the Warren-Washington Counties Industrial Development Agency and questioned whether Warren County had any control over the appointments made by Washington County.

Chairman Thomas said he would not want to question an appointment made by a neighboring county.

Mr. Kenny requested a roll call vote on Resolution No. 96 of 2006.

Mr. Dusek advised that Resolution No. 171 of 2006 authorizing the contract with the Pinnacle Advisory Group required a source of funding for \$35,000.

Mrs. Parsons suggested assigning the contract to the Board of Supervisors at this point.

A motion was made by Mr. VanNess, seconded by Mr. Tessier and carried unanimously to amend Resolution No. 171 of 2006 to include the source of funding be from the Board of Supervisors Budget.

Chairman Thomas called for a vote on the resolutions.

Resolution Nos. 93 through 118, 120 through 157 and 159 through 176 were approved. (Resolution Nos. 119 and 158 were tabled.)

Chairman Thomas announced that an LDC meeting would be held immediately following the Board meeting. In addition, he said, the regular Board meeting would fall on Good Friday,

April 14th so the meeting would be changed to April 13th.

A motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to waive the rule on writing of resolutions.

A motion was made by Mr. Mason, seconded by Mr. Caimano and carried unanimously to introduce and approve the request to change the date of the April Board of Supervisors meeting from April 14th to April 13th. Clerk noted this would be Resolution No. 177 of 2006 for the record.

Privilege of the floor was extended to Mr. O'Connor who acknowledged the pomp and pageantry of the Service to Community Event held in honor of those who participated in the rescue efforts during the Ethan Allen tragedy. Mr. O'Connor said this was a spectacular display of emotion to recognize and thank all of those involved in this rescue. He noted this was the brainchild of Sheriff Cleveland and he commended his efforts.

Mr. O'Connor's comments were followed by a round of applause in recognition of Sheriff Cleveland's efforts.

Sheriff Cleveland thanked the Board of Supervisors for their support in putting on the event. In addition, he noted, that the New York State Sheriffs Association would be holding their summer conference in Lake George. Sheriff Cleveland recommended that the Sheriff's Office be included in the planning stages of the Health and Human Services Building as it relates to security services.

Chairman Thomas acknowledged Mrs. Sady's appointment as Clerk of the Board. The Board of Supervisors responded with a round of applause in recognition of Mrs. Sady.

Mr. Bennett, former supervisor for the Town of Lake Luzerne, thanked Mrs. Parsons, on behalf of the citizens of Warren County, for the outstanding job she had done as Clerk of the Board and Administrator for the past several years.

Mr. Bennett's comments were followed by a round of applause in recognition of Mrs. Parsons.

There being no further business, on motion by Mr. Caimano and seconded by Mr. Stec, Chairman Thomas adjourned the meeting at 11:50 a.m.