

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MAY 16, 2008**

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 10:00 a.m.

Mr. Frederick Monroe presiding.

Salute to the flag was led by Supervisor Bentley.

Roll called, the following members present:

Supervisors Simmes, Monroe, Girard, Sheehan, Taylor, O'Connor, Kenny, Belden, Bentley, Goodspeed, Tessier, Merlino, Stec, Strainer, Champagne, VanNess, Sokol, Thomas, Haskell, and Geraghty - 20.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve the minutes of the April 18, 2008 Board of Supervisors Meeting and the April 29, 2008 Special Board Meeting, subject to correction by the Clerk.

Chairman Monroe declared the Public Hearing on the proposed Local Law No. 6 of 2008, open at 10:01 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read the Notice of Public Hearing.

Mr. VanNess commented that this local law would make it easier for law enforcement officials to recover stolen property and to also check records of the businesses that dealt with secondhand articles.

There being no one further wishing to speak on the proposed Local Law No. 6 of 2008, Chairman Monroe closed the Public Hearing at 10:05 a.m.

Chairman Monroe requested Candace Kelly, Director of the Office for the Aging, as well as Supervisors Merlino and Tessier, to come forward for a presentation. Mrs. Kelly advised that the annual celebration was held honoring Older Americans Month at the Fort William Henry, and the honorees for this year were Ruth Merkle from the Town of Lake Luzerne, who was honored as Senior of the Year, and Dorothy Devoe from the Town of Lake George, who was honored as Outstanding Contributing Senior. She added that between the two honorees, they had over fifty years of combined volunteer service. Mrs. Kelly thanked them for all that they did throughout the County.

Mr. Merlino presented Ruth Merkle with the Senior of the Year award and noted that this was a pleasure for him to present because of all the work she had done for the Town of Lake Luzerne. The board members responded with applause.

Mr. Tessier presented Dorothy Devoe with the Outstanding Contributing Senior award

and added that the number of hours that Ms. Devoe had devoted to community service was amazing and he thanked her for all of her hard work. The board members responded with applause.

Chairman Monroe requested William Lamy, DPW Superintendent, as well as Supervisor Belden, to come forward for a presentation. Mr. Lamy announced that Jerry Sprague was retiring from the Department of Public Works at the end of May. Mr. Belden presented Mr. Sprague with a Certificate of Appreciation for thirty-five years of dedicated service to DPW and the residents of Warren County and wished him well in his retirement. Mr. Sprague thanked the Board of Supervisors and Mr. Lamy. The board members responded with applause.

Chairman Monroe asked Robert Phelps, Commissioner of Social Services, as well as Supervisor Tessier, to come forward for a presentation recognizing three employees that were retiring from the Department of Social Services. Mr. Phelps introduced Sukie Seybolt, Lynn Leland and Theresa Schrammel. He said that Ms. Seybolt had worked in the Medicaid Unit for thirty-six years; Ms. Leland had worked in the Foster Care and Adoption Unit for eighteen years; and Ms. Schrammel had been with the County for twenty-six years and had been the Confidential Secretary to the Commissioner for twenty-one years. He thanked each of the individuals for the dedication and support over the years. Mr. Tessier presented each with a Certificate of Appreciation for their dedicated years of service to the Department of Social Services and the residents of Warren County. He wished each of them well in their retirements. The board members responded with applause.

Chairman Monroe declared the Public Hearing on the proposed Local Law No. 7 of 2008, open at 10:15 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read the Notice of Public Hearing.

Mr. Stec thanked the Real Property Tax Services Committee for bringing this local law, which provided a tax exemption to Cold War Veterans, forward. He added that the Town of Queensbury recently passed similar legislation and suggested that other towns consider doing the same. He noted that there were many veterans in the County that were eligible for this exemption and the word needed to be spread throughout the towns that this was available for them.

There being no one further wishing to speak on the proposed Local Law No. 7 of 2008, Chairman Monroe closed the Public Hearing at 10:16 a.m.

Chairman Monroe requested Supervisor Tessier to come forward for another presentation. Mr. Tessier presented Mr. Phelps with a plaque recognizing his thirty-four years of dedicated service to the Department of Social Services and the residents of Warren County. He wished Mr. Phelps well in his retirement. Mr. Phelps thanked the Board of Supervisors. The board members responded with applause.

Chairman Monroe extended privilege of the floor to the public. John Davis from the Town of Queensbury, announced that there would be a group of citizens traveling to Vermont on

Tuesday, May 20, 2008 to tour recycling operations and he extended the invitation to anyone that was interested in joining them. He said the only cost involved would be to cover gas. He noted that anyone interested could contact either Susan Davis or Ruth Lamb. Chairman Monroe advised a representative from the Town of Chester would be going, as well as a representative from the Town of Lake Luzerne.

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

Supervisor Haskell, County Facilities; Supervisor Thomas, Legislative & Rules and Personnel; Supervisor Sokol, Planning & Community Development and Health Services; Supervisor VanNess, Public Safety; Supervisor Champagne, Community College; Supervisor Stec, Finance; Supervisor Belden, Real Property Tax Services and Public Works; and Supervisor Girard, Information Technology.

Mr. Geraghty advised there was no report regarding the Budget Committee; however, he said, there would be a meeting next month and he requested the Supervisors to continue sending him cost cutting ideas.

In connection with the County Facilities Committee, Mr. Haskell reported that the Committee had approved that Warren County be the lead agency in the SEQRA (State Environmental Quality Review Act) process for the new Health and Human Services building and that resolution was in the packets. He added that geothermal options were presented by the representatives from Clark Patterson Lee Design for the Committees review. He said that the Committee interviewed several furniture companies and the contract was awarded to Kimberly Scott for furniture and interior design for the new building, and that resolution was also included in the Supervisors' packets.

Concerning the Legislative & Rules Committee, Mr. Thomas apprised there were three resolutions included in the packets that were generated from that meeting, one of which would ban text messaging while driving, one which related to the County's proposed Local Law No. 6 of 2008 and one that requested the State to assist counties in collecting delinquent taxes without the cost of clean-up for contaminated properties. Mr. Thomas noted he would be requesting later in the meeting that a resolution be prepared regarding the \$1 million in snowmobile funds that had been removed by the State. Regarding the Personnel Committee, Mr. Thomas stated a new Commissioner of Social Services had been hired and would begin serving in that title on June 1, 2008.

Chairman Monroe interjected that there was another matter that had been addressed by the Personnel Committee regarding a position in the Auditor's Office. He noted that the Committee had been advised that due to automation and computerization in the Department, the position of Senior Account Clerk was no longer necessary and could be abolished. He added that a draft resolution was being distributed for the board members review.

With regard to the Planning & Community Development Committee, Mr. Sokol thanked Supervisor Champagne for working with Warren and Hamilton Counties Community Action

Agencies to resolve past issues and, he said, because of Mr. Champagne's efforts, the Agencies had agreed to enter into an agreement. He stated that the County had been unsuccessful in obtaining the Smart Growth Grant for broadband services and a meeting would be held next Thursday to discuss the issue further. Mr. Sokol expounded that the County had applied for a Small Cities Grant in the amount of \$400,000 for the Town of Lake Luzerne to renovate the former bowling alley into a senior citizens center, and no local match would be required. Under the Economic Development Corporation portion of the meeting, he reported that two hundred twenty-five people attended the Annual Luncheon at the Great Escape Lodge and approximately \$19,000 was raised. He noted that the Queensbury Industrial Park was on schedule and the National Guard had commenced foundation construction.

Regarding the Health Services Committee, Mr. Sokol apprised under the Westmount Health Facility portion of the meeting, the Committee was informed that one air handler had been completed and the second handler would be completed within the next couple of weeks. Under the Health Services portion of the meeting, he stated that *The Post Star* had presented the Department with a plaque in honor of being named number one in home care in the region.

In connection with the Public Safety Committee, Mr. VanNess advised there were three resolutions included in the Supervisors' packets that pertained to the grant for the lease of motorcycles and training for the Sheriff's Office. He noted there had been a joint meeting of the Public Safety and Public Works Committee to discuss the Fire Training Center being located at the Airport, and he added, another joint meeting would be held within the next few weeks when the individuals from the FAA (Federal Aviation Administration) would be available to answer questions.

Mr. Champagne announced that with regard to the Community College Committee, the Incubator Program would likely be located at the Adirondack Community College (ACC) campus. He said that ACC held their graduation ceremony last night, at which a seventy year old woman received her degree which was very inspiring.

Concerning the Finance Committee, Mr. Stec stated the Committee approved the transfer of funds in the amount of \$250,000 from the occupancy tax reserve to the general fund unappropriated surplus and the resolution was included in the packets. Also included in the packets, he said, was the formal request to enact the Assembly and Senate Bill for the increase in mortgage tax. He announced that on Tuesday, June 3, 2008 a ribbon cutting ceremony would be held at 3:00 p.m. at Tribune Media and he encouraged all Supervisors to attend.

Chairman Monroe added that the County Treasurer had advised that approximately \$65,000 had been returned to the general fund from the Tobacco Securitization Administrative Fund and he thanked the Treasurer for that.

Mr. Merlino commented that the State had removed \$1 million from the snowmobile fund and he requested the Board's support in trying to have those funds replaced. Chairman Monroe remarked that he had received correspondence from the President of the New York State Snowmobile Association requesting Warren County to support resolutions asking for the funds to be restored. Mr. Belden added that a similar resolution was passed at the recent Intercounty Legislative Committee of the Adirondacks meeting.

With regard to the Real Property Tax Services Committee, Mr. Belden expounded the Committee spent quite a bit of time discussing the tax exemption for Cold War Veterans, which he was very supportive of and he thought that the County was implementing a great benefit for the residents. He added that the Public Works Committee had met and the meeting consisted mainly of routine business, with requests to increase certain capital projects, as well as the closing of a few capital projects. Mr. Belden referred to the joint meeting of the Public Safety and Public Works Committee, and noted that the concern on behalf of the Public Works Committee with the Fire Training Center being located at the Airport was that it could restrict future growth of the Airport; however, he said, the Committee was very much in favor of the project.

In connection with the Information Technology Committee, Mr. Girard advised that the Department had taken on the task of maintaining the Tourism Department website and therefore, he said, the Committee had agreed that the Information Technology Department would be reimbursed by occupancy tax funds for the time the staff allocated to the Tourism Department.

Chairman Monroe called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren/Washington Counties IDA, as well as the Audit and Executive/Park Committees;

Warren/Washington Counties Children and Youth Subcommittee.

Monthly Reports from:

Weights & Measures;

Veterinarian.

Annual Reports from:

Economic Development Corporation Warren County;

Department of Social Services.

City of Glens Falls Industrial Development Agency Notice of Public Hearing on May 27, 2008 regarding the 333 Glen Street Associates, LLC Project;

Last of the Mohicans Outdoor Drama, Inc., thanking the Planning and Community Development Committee and Office for their assistance with the project;

Capital District Regional Off-Track Betting Corporation, January, February and March 2008 Financial Reports, April surcharge in the amount of \$10,513, as well as 2006/2007 Audited Financial Statements.

Communications, resolutions and reports ordered placed on file.

Paul Dusek, County Attorney, apprised he had received a request from the Washington

County Attorney's Office inquiring whether or not Warren County would be interested in sharing services among the County Attorney's in a fashion similar to what was already being done between the District Attorney's Offices. He further explained that Washington County currently had a personnel investigation type matter, and the proposal was if Warren County could assist with that matter, Washington County would in turn repay the services at some time for something the County may need. He said his opinion was that there would be an opportunity to regain the services from Washington County and he would suggest putting a cap on the number of hours offered. Mr. Dusek concluded that if the board members were interested in entertaining this proposal, an intermunicipal agreement would be needed.

Chairman Monroe expounded he had discussed this with Mr. Dusek and it could be a cost savings measure for the County, as opposed to hiring outside counsel; however, he added, it would be important to make sure it was a fair exchange. He suggested that the County Attorney could keep track of the hours of service provided to Washington County throughout the year to ensure there was an even exchange of services.

Mr. Kenny recommended that the matter be referred to the Personnel Committee for further discussion. Mr. Dusek said the Support Services Committee covered the County Attorney's Office; although, he stated the reason he brought it before the board members today was because there was some urgency on the part of Washington County in that the matter required immediate assistance. Mr. Belden questioned if there was an estimated cost involved with this proposal and Mr. Dusek replied there was no monetary value involved, only hours and Washington County had advised that this matter would require approximately eight hours of Attorney time.

Motion was made by Mr. Stec, seconded by Mr. VanNess and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk noted it would be Resolution No. 387 of 2008 for the record.

Mr. O'Connor said he would need to have more information presented in order for him to be in favor of an intermunicipal agreement with Washington County.

Motion was made by Mr. Stec and seconded by Mr. VanNess to authorize an intermunicipal agreement with Washington County regarding the sharing of services of the County Attorney's.

Mr. Taylor asked if by entering into this agreement, would Warren County be exposed to any liability issues. Mr. Dusek advised any time legal work was performed, anywhere, there was the potential to be exposed to liability; however, he said, the County could request, as a condition, to be added as an additional insured to the Washington County policy. There may be an issue, he noted, in that it was professional coverage. Mr. Dusek expounded he had discussed with the Washington County Attorney capping the service at ten hours until they could repay the services in-kind for ten hours, thereby limiting Warren County's exposure to ten hours.

Mr. Stec amended his motion to include capping the services provided to Washington County at sixteen hours. Mr. VanNess seconded the amended motion. Mr. O'Connor requested a roll call vote on the proposed resolution. The motion carried by majority vote with Messrs. O'Connor and Kenny voting in opposition. Clerk noted it would be Resolution No. 388 of 2008 for the record.

Chairman Monroe confirmed the matter would still be referred to the Support Services Committee for a more permanent arrangement with Washington County.

Chairman Monroe directed the board members attention to a draft resolution that was being distributed regarding the re-establishment of the Ad Hoc Committee for the Hartford Landfill. He explained that Requests for Proposals (RFPs) had been drafted and there was a party interested in purchasing the landfill. He announced he was appointing Supervisors Champagne and Tessier to the Bi-County Ad Hoc Committee and Washington County would be appointing two members from their Board of Supervisors as well, to further the sale of the Hartford Landfill.

Motion was made by Chairman Monroe, seconded by Mr. Thomas and carried unanimously to re-establish the Bi-County Ad Hoc Committee for the Hartford Landfill. Clerk added it would be Resolution No. 389 of 2008 for the record.

Mr. VanNess announced he had a draft resolution that he would like to present to the board members. He explained that Sheriff York had advised that the County could save a considerable amount of money in food services by contracting with the New York State Department of Correctional Services' Office of Nutritional Services to provide food products to the Corrections Facility.

Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously to authorize an agreement with the New York State Department of Correctional Services' Office of Nutritional Services to provide food products. Clerk stated it would be Resolution No. 390 of 2008 for the record.

Mr. Dusek clarified that any existing contracts in place for food services would expire prior to this agreement becoming effective.

Mr. Thomas requested to introduce a resolution regarding the State Snowmobile Funds.

Motion was made by Mr. Thomas, seconded by Mr. Haskell and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk said it would be Resolution No. 391 of 2008 for the record.

Motion was made by Mr. Thomas, seconded by Mr. Haskell and carried unanimously to urge New York State to reinstate the \$1 million in funding that was taken from the Snowmobile Trail Development and Maintenance Fund to fill a gap in the 2008-2009 enacted State Budget. Clerk noted it would be Resolution No. 392 of 2008 for the record.

Chairman called for reading of resolutions and discussion.

Mr. Kenny requested roll call votes on Resolution No. 361, Rejecting Lowest Proposal; Awarding Bid to L.C. Whitford Equipment Company, Inc. for One New 2008 or Newer Forestry Mower; Resolution No. 365, Awarding Bid & Authorizing Agreement with DeAngelo Brothers, Inc. for Herbicide Application Along the Warren County Railroad; and Resolution No. 366, Incorporating Boston & Maine Caboose #482 as a Permanent Part of Riverside Station; Authorizing Amendment of Operating Agreement with Upper Hudson River Railroad, Inc.

Mr. Dusek expounded that Resolution No. 358 was a bond resolution which required a roll call vote and was preceded by the SEQRA resolution. Technically, he explained, following the regular voting procedure, the bond resolution would be voted upon first due to the required roll call; therefore, he suggested that the SEQRA resolution (No. 357) be requested as a roll call vote, as well.

Mr. Stec requested a roll call vote on Resolution No. 357, Declaring the Warren County Board of Supervisors as Lead Agent for SEQRA Review Purposes and Determining That the Health and Human Services Building Project Will Not Have a Significant Impact on the Environment and Providing That a Negative Declaration Shall Be Prepared, Filed and Transmitted as Provided For Under New York State SEQRA Regulations.

Mr. Sheehan referred to the earlier discussion regarding the abolishment of a position in the Auditor's Office and the draft resolution that was distributed to the board members. He apprised that a number of years ago, the need became apparent to update the County's technology and the Information Technology Department was formed. He further stated that the main goal of the modern technology was to downsize departments. He commended the Auditor for realizing the lack of the need for the aforementioned position and recommended that other department heads consider doing the same.

Motion was made by Mr. Thomas, seconded by Mr. Geraghty and carried unanimously authorizing the abolishment of a position in the Auditor's Office. Clerk added it would be Resolution No. 393 of 2008 for the record.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 307 through 378 were mailed and Resolution No. 365, Setting a Public Hearing with Respect to Lease Agreement with ESMI Flight Services, was pulled and the number was assigned to another resolution in the packets. She said a motion was needed to bring Resolution Nos. 306, 365 and 379 through 386 to the floor.

Motion was made by Mr. Belden, seconded by Mr. Goodspeed and carried unanimously to bring Resolution Nos. 306, 365 and 379 through 386 to the floor.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 306 through 393 were approved. Mortgage Tax Report was submitted.

Chairman Monroe extended privilege of the floor for announcements. Mr. Haskell reported that the Town of Thurman was having the Town-wide Garage Sale this weekend. Mr. Thomas stated on Thursday, May 22, 2008 at 6:00 p.m. the Warren County Council of Chambers would be holding their meeting at the Thousand Acres Ranch Resort and the topics of discussion would be broadband services and cell phone services. Mr. Taylor informed the board members that tomorrow the Open Door Soup Kitchen, in conjunction with the City of Glens Falls, would be hosting a clean up in the downtown area followed by a hot dog roast in the Elm Street parking lot.

Mr. Sokol advised there had been a two hour program on PBS about the Adirondacks and it touched on economic development which was very interesting. Chairman Monroe added there had been a great deal of discussion recently regarding an economic development plan for the Adirondacks and there seemed to be growing support of that concept.

Chairman Monroe encouraged the Supervisors to respond to the survey they received from the Adirondack Park Regional Assessment Project and noted it was very important to the development of the economic development plan.

Mr. Geraghty reminded the board members that there were free passes available for Warren County Firefighters to attend the New York State Association of Fire Chiefs' Convention.

Chairman Monroe announced that the Town of Chester Judge received notification that the State had substantially increased the court surcharges, some of which had been previously shared with the towns, and now the full amount would go to the State.

Hal Payne, Commissioner of Administrative & Fiscal Services, apprised that the Department Head Meeting scheduled for Tuesday, May 20, 2008 had been changed to Monday, May 19, 2008 at 9:00 a.m.

There being no further business, on motion by Mr. Haskell and seconded by Mr. Champagne, Chairman Monroe adjourned the meeting at 11:48 a.m.