

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JUNE 20, 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 Goodspeed.

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. VanNess, seconded by Mr. Stec and carried unanimously to approve the minutes of the May 16, 2008 Board of Supervisors Meeting, subject to correction by the Clerk of the Board.

Chairman Monroe extended privilege of the floor to Laura Saffer, Health Educator, for the presentation of certificates to the winners of the "Tar Wars Tobacco Prevention Program" and Poster Contest for students in grades 4 and 5 in the participating schools in Warren County. Ms. Saffer provided a power point presentation which outlined the posters and the winners, as well as the program objectives. Chairman Monroe presented each winner with a certificate. The board members responded with applause.

Chairman Monroe extended privilege of the floor to Jerold Quintal, former Supervisor of the Town of Warrensburg and currently the Warren County OTB (Off-Track Betting) representative, to provide the OTB report.

Mr. Quintal distributed a handout of the report to the board members, a copy of which is on file with the minutes. He noted that Capital OTB has had a number of additional costs or revenue reductions that had resulted from State mandates, which were outlined in the report and he reviewed the mandates that had a detrimental impact on revenues to the County in detail with the board members. He stated that in 2007, the gross revenues to Warren County were \$401,265 and the State cost to the County was \$154,013, leaving the County a net revenue of \$247,252. Mr. Quintal highlighted the steps that Capital OTB had taken to run its operation more efficiently and to maximize revenues to its local partners.

Mr. Geraghty questioned how the total percentage of the County's share was determined and Mr. Quintal replied it was based on population. Mr. Quintal thanked the board members for their time and continued support of the Capital OTB.

Chairman Monroe announced Phil Tucker, regional representative for the Painters Union and the Vice-president of the Greater Capital Region Building and Construction Trades Council, had requested permission to address the board regarding the resolution in the Supervisors packets concerning prevailing wage rates. Mr. Tucker referred to Resolution No. 409, entitled, "Urging the New York State Legislature to Amend or Repeal the Requirements of the Prevailing Wage Law Making Government Sponsored Work More Competitive and Less Costly" and

specifically the statement that the cost of labor was artificially inflated because of the Prevailing Wage Law requirements. He explained that prevailing wage was a minimum rate of compensation and was recognized by the New York State Department of Labor as a fair compensation for different work classifications throughout the State and was usually posted on a county-by-county basis. He further stated that prevailing wage established a skill training requirement through State registered multi-year apprenticeship programs. Mr. Tucker concluded, through his extensive research, that there was no basis to the claim that lower wage rates resulted in lower construction costs. He added that the consequences of a repeal of State Prevailing Wage Laws would result in lower quality construction and increased cost over-runs. He said that skill and productivity were the determinants of the total bottom line costs, not wage rates alone. He requested the board members consider voting in opposition of this resolution.

Motion was made by Mr. Haskell, seconded by Mr. Girard and carried by majority vote to table Resolution No. 409, Urging the New York State Legislature to Amend or Repeal the Requirements of the Prevailing Wage Law Making Government Sponsored Work More Competitive and Less Costly, with Messrs. Thomas, Stec, Champagne, Goodspeed and Bentley voting in opposition.

Chairman Monroe called for reports by Committee chairmen on past activities and the following gave verbal reports: Supervisor Geraghty, Budget; Supervisor Thomas, Personnel and Legislative; Supervisor Sokol, Health Services and Planning & Community Development; Supervisor VanNess, Public Safety; Supervisor Champagne, Solid Waste and Recycling; Supervisor Stec, Finance; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Sheehan, Support Services; and Supervisor Girard, Information Technology.

Concerning the Budget Committee, Mr. Geraghty stated discussions were held concerning the possible closing of approximately ten Capital Projects; however, he said, confirmation from the respective department heads was necessary prior to any action. He added the Committee had also discussed the plans and bonding requirements for the new Soil and Water Conservation District Office. He noted that there had been meetings with Adirondack Community College personnel to discuss their 2009 budget needs. Mr. Geraghty further stated that the Committee was recently made aware that the County needed to be prepared for a 2% reduction in the New York State budget and the shifting of certain programs from the State to the County. He expounded that budget discussions would begin soon and his plan was for the Budget Committee to meet with all department heads, as well as the respective Chairmen of the Committees, to review budget requests in August. He pledged that no changes would be made to the budget arbitrarily without notification to the department heads and Committee Chairmen.

Mr. Belden commented that the biggest increase to the budget would be the fuel costs, especially for the DPW and Sheriff's Office. Mr. Kenny questioned if an analysis had been compiled on increased sales tax revenues from gasoline and Frank O'Keefe, County Treasurer, responded his Office could provide an analysis outlining such. Mr. Girard recommended that the board revisit the matter of an one percent sales tax increase to offset ongoing County expenses.

Regarding the Personnel Committee, Mr. Thomas apprised the meeting consisted mainly of housekeeping issues. He noted that the Committee approved the reappointment of the Personnel Officer for an additional six year term. In connection with the Legislative Committee, Mr. Thomas stated there were three resolutions included in the Supervisors packets which were generated from the Committee, one of which had been tabled earlier in the meeting. The other

two, he said, concerned an amendment to the Uniform Enforcement Act changing the Delinquent Tax Payment Law and supporting Senate Bill 1053-A as it pertained to the Circuit Breaker Tax Credit.

With regard to the Health Services Committee, Mr. Sokol advised that the hardware portion of the Point of Care Project did not meet the bid specifications. He referred to a draft resolution that was distributed to the board members, and requested Paul Dusek, County Attorney, to further explain the resolution. Mr. Dusek expounded that the bid specifications that had been developed for this project required the contractor to furnish a performance and payment bond in connection with the computer software program and installation. He noted that the contractor had provided the performance bond; however, he said, the payment bond which would cover third party payments in an amount less than \$15,000 had not been included. Therefore, Mr. Dusek recommended a waiver of the payment bond and he said the drafted resolution was necessary for the project to proceed.

Motion was made by Mr. Sokol, seconded by Mr. Sheehan and carried unanimously to amend Resolution No. 214 of 2008 and authorizing modification of the terms of the agreement with Delta Health Technologies, LLC. Clerk noted it would be Resolution No. 457 of 2008 for the record.

Mr. Sokol continued and said that under the Countryside Adult Home portion of the meeting, the Committee was informed that the supplies for the installation of the hot water tank had been ordered and should be completed soon. He stated further discussions would be held next month with regard to the vacant position of a Maintenance Mechanic and the possible restructuring of the Table of Organization for the Countryside Adult Home.

Concerning the Planning & Community Development Committee, Mr. Sokol reminded the board members that the Smart Growth grant application for broadband services was denied. He noted a resolution was included in the packets to fund an additional broadband study for the County. With regard to the Economic Development Corporation (EDC) portion of the meeting, Mr. Sokol advised that Len Fosbrook, President of EDC, had attended the Annual New York State Economic Development Council meeting, and the Warren County EDC was awarded first place for their annual report, second place for the newsletter and third place for the website.

In connection with the Public Safety Committee, Mr. VanNess expounded that a joint meeting of the Public Safety and Public Works Committees would be held to discuss the Fire Training Center and the location of such at the Airport. He thanked William Lamy, DPW Superintendent, for his immediate response to an issue on Corinth Road in which tree limbs and branches were blocking the road.

Concerning the Intercounty Solid Waste Committee, Mr. Champagne apprised that advertisements had been placed for the sale of the Hartford Landfill. He listed the papers and magazines that the advertisements were placed in and noted it would be a long process before the sale came to fruition.

Mr. Strainer thanked Supervisor Tessier and Mr. Lamy for organizing the recent tour of the Gaslight Village property.

Regarding the Finance Committee, Mr. Stec apprised Resolution No. 438 included in the

packets would authorize the bond in the amount of \$429,000 to make the two rail stations functionally complete.

Mr. Merlino announced that the funds that had been removed from the Snowmobile Clubs by the State would be returned and he thanked the board members for supporting the resolution last month which urged the State to restore those funds.

With regard to the Occupancy Tax Coordination Committee, Mr. Kenny stated that the \$5,000 in funding that had been awarded to the Lake George Winter Carnival had been revoked due to the lack of proper documentation being provided; however, he said, following that Committee meeting, the Lake George Winter Carnival did submit the necessary documentation and therefore, the \$5,000 had been reinstated.

Mr. Taylor commented that tomorrow, June 21, 2008, a dedication of a new building at Crandall Park would be held at 2:00 p.m. and he invited all Supervisors to attend. He also thanked the Warren County Soil and Water Conservation District for providing the hydro seed for the landscape there.

In connection with the Support Services Committee, Mr. Sheehan advised the concept of a Safety Officer is still being reviewed, and the implementation of such could create a cost savings for the County. He added that discussions would continue at the next Committee meeting.

With regard to the Information Technology Committee, Mr. Girard said discussions were focused on the personnel in the department, specifically a key employee that had recently transferred out of the department. He stated that Hal Payne, Commissioner of Administrative and Fiscal Services; Richard Kelly, Personnel Officer; and Todd Lunt, Human Resources Director, would be meeting with Rob Metthe, Director of IT, to determine what action should be taken to fill this important position.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from:

- Warren/Washington Counties Mental Health Subcommittee;
- Warren County Planning Board;
- Warren/Washington Counties Industrial Development Agency.

Monthly Reports from:

- Weights & Measures;
- Probation;
- Veterinarian.

Annual Reports from:

- Warren County Health Services;
- County of Warren for Fiscal Year Ended 12/31/07.

Capital District Regional Off-Track Betting Corporation, June surcharge in the amount of \$13,301;

Executive Chamber of the State of New York, Report of the New York State Commission on Local Government Efficiency & Competitiveness;

New York State Department of Transportation, correspondence advising of a road project involving Route 9 from Beach Road to Route 149, as well as a comment from the County Attorney advising that no action is necessary by the Board;

New York State Department of Environmental Conservation, Fact Sheet on the Remedial Construction Work for the Luzerne Road PCB site.

Communications, resolutions and reports ordered placed on file.

Chairman called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 395 through 454 were mailed and Resolution No. 409 was tabled. She added that a motion was needed to bring Resolution Nos. 394 and 455 through 457 to the floor. Motion was made by Mr. Stec, seconded by Mr. Bentley and carried unanimously to bring Resolution Nos. 394 and 455 through 457 to the floor.

Mr. Thomas requested a roll call vote on Resolution No. 404, Authorizing Agreement with Adirondack Physical Therapy and Fitness, PLLC to Provide Physical Therapy Services; Terminating Agreement with Natalie Barber, Physical Therapist.

Mr. Kenny requested roll call votes on Resolution No. 424, Amending Resolution No. 198 of 2008 with Elan Planning and Design for Additional Services; Resolution No. 436, Awarding Bid and Authorizing Agreement with Highest Responsible Bidder Regarding Sale and Removal of a 60' x 100" Metal Structure Located at 4113 Rockwell Street, Hadley, New York (WC 67-08); Resolution No. 437, Authorizing Agreement with IBS Septic and Drain Service, Inc. for Rental/Service of Two (2) Portable Toilets at Thurman Station and Bikeway Parking Lot; and Resolution No. 447, Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-Aid Eligible and Ineligible Project Costs, and Appropriating Funds Therefore.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 394 through 457 were approved, with the exception of Resolution No. 409, Urging the New York State Legislature to Amend or Repeal the Requirements of the Prevailing Wage Law Making Government Sponsored Work More Competitive and Less Costly, which was tabled. Certificate of Appointment to the Saratoga-Warren-Washington Counties Workforce Investment Board was submitted.

Chairman Monroe opened the floor for announcements. Mr. Tessier commented that on Monday, June 23, 2008 at 3:15 p.m. there would be an informal meeting in the Board Room regarding the Gaslight Village property and he encouraged all Supervisors to attend. Chairman Monroe added there seemed to be some confusion concerning the terms of the Conservation

Easement which needed to be discussed and resolved.

Mr. Goodspeed advised there would be a 'River Front Concert Series' in North Creek this summer beginning Friday, June 27, 2008 at 7:00 p.m. with "Hair of the Dog", a Celtic rock band, performing that night.

Mr. Champagne acknowledged that Mr. Payne had just distributed the Memorandum of Understanding (MOU) between the Warren Hamilton Counties Community Action Agency and Warren County, a copy of which is on file with the minutes, and would be signed on Monday, June 23, 2008. He requested that the Supervisors review the MOU carefully and contact Mr. Payne or Mrs. Sady if there were any questions or concerns.

Chairman Monroe stated that the rise in fuel costs was having a significant impact on everyone and he suggested that the board members begin thinking about some form of mass transportation in communities to lessen the burden of rising costs. Mr. Goodspeed agreed and added that the Town of Johnsbury had formed an Economic Coalition in recognition of the economy getting worse. He noted that there had been preliminary discussions with Greater Glens Falls Transit, as well as other entities, regarding the possibility of a bus line which would travel from the North Country into the Glens Falls area on a regular basis. Mr. Haskell mentioned the concept of four, ten-hour day work weeks for County employees which he said should be considered again as well.

Privilege of the floor was extended to Alan Hall, resident of the Town of Warrensburg. Mr. Hall expressed his concern with the distribution of occupancy tax funds. He explained that recently the Americade guided bike tours had been re-routed around the Town of Warrensburg, thereby eliminating possible revenues from the event into the Town. He said that he was disappointed that the County was funding a not-for-profit organization that was intentionally re-routing tour groups around the Town of Warrensburg. Mr. Kenny clarified that the County contributed to the Americade festival because of the amount of money that was generated from it. Mr. Haskell said he believed the Americade guided tours were rearranged each year in order for the participants to travel to different areas of the County.

There being no further business, on motion by Mr. Goodspeed and seconded by Mr. Strainer, Chairman Monroe adjourned the meeting at 11:59 a.m.