

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY OCTOBER 20, 2017**



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 10:04 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Girard.

Roll called, the following members present:

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

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the September 15th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Sokol, seconded by Supervisor Girard and carried unanimously.

Supervisor Braymer apologized to Amanda Allen, *Clerk of the Board*, and her staff for mistakenly asking at last month's Board Meeting that a correction be made in Resolution No. 343, *Amending Resolution No. 205 of 2015, Authorizing Submission of Grant Application to the Federal Aviation Administration/New York State Department of Transportation for Avigation Easement/Land Acquisition for Five Parcels in the Runway 30 Approach Phase II, to Increase the Grant Amount*, to the spelling of the word avigation which was in fact referenced correctly in the resolution.

Moving on to the report by the Chairman of the Board, Chairman Conover read aloud the listing of meetings he had attended since the August Board Meeting. He stated on September 19th he attended a meeting organized by Bud York, *Warren County Sheriff*, regarding County-wide EMS with the Albany County Sheriff during which they discussed Albany County's Program which was administered through the Sheriff's Office. He said Albany County would be making a presentation regarding their Programs and its success at an upcoming meeting of the Criminal Justice & Public Safety Committee. He informed later that same day he had attended a meeting regarding the Hudson River-Black River Regulating District in the Town of Half Moon to discuss the upgrades required on their dam facilities and where the funding for these upgrades would originate from. He stated he indicated to them he believed the entire Regulating District should be the responsibility of the State and not a regional or County one, as were other Drainage Districts within the State. He mentioned upon the request of Ed Ellis, *President, Iowa Pacific Holdings*, he met with him on October 2nd to discuss matters involving the railroad. He advised he attended the 3rd Annual Salt Summit in Ticonderoga, New York on October 5th along with a number of other Town Supervisors. He commented he believed they were making significant strides in regard to the plan to try and reduce the amount of salt which was making its way into area waterways, as well as the environment. Following that meeting, he apprised he had attended a meeting at the County pertaining to the audited financial statements which, he noted, displayed the County as in good financial standing.

Chairman Conover then called for the reports by Committee Chairmen on the past month's meetings or activities.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

Supervisor Girard apprised he, along with Ross Dubarry, *Airport Manager*, and Jeffery Tennyson, *Superintendent of Public Works*, had attended the annual meeting with the FAA (*Federal Aviation Administration*) during which the FAA provided an overview of their financial considerations for the upcoming year. He stated he had expressed the interest in the hydrology study as they moved forward with the environmental assessment for the Runway Extension Project. He mentioned the FAA indicated to him they were working with the EPA (*Environmental Protection Agency*), NYSDEC (*New York State Department of Environmental Conservation*) and the Army Corp. of Engineers to discuss the forward movement. He said the meeting went well, as the FAA was supportive of the work going on at the Airport. He said the FAA had to determine where the funding they had available for the forthcoming year would be allocated to. He added he believed the County was in good position to be awarded the funding required when everything came together. Supervisor Girard informed the construction of the Court Expansion was moving along well and the Ring Road would be opening shortly thereby alleviating some traffic issues. He advised he had attended the Annual Meeting for Cornell Cooperative Extension last night. He said he had been a member of the Cornell Cooperative Extension Committee for ten years now, during which he felt he got more out of it than he put in, as it was a wonderful Organization which did stellar work for the community. He remarked he was proud to have been part of their Organization and he thanked Dr. James A. Seeley, *Executive Director, Cornell Cooperative Extension*, for his efforts.

Supervisor McDevitt stated as Chairman of the Economic Growth & Development Committee, his hope was to be personally responsible for attracting some sort of high tech sustainable long-term industry to the County before he retired from the Board. He mentioned one of the issues concerning economic development in the Country related to Amazon and their efforts to secure a new high-tech warehousing facility in this Country. He continued, many communities throughout the United States were competing for this warehouse. He said going forward the railway systems in this Country that the County and Board ought to be concerned with and encourage was high-speed rail, as this was where the future was. He commented the County's interest in regards to rail should be connecting New York City to Montreal through high-speed rail.

Supervisor Braymer, with Supervisor Brock's permission, reported on the September 18th Environmental Concerns & Real Property Tax Services Committee meeting wherein proposed Resolution Nos. 384-386 were approved. She stated she would be introducing a proposed Resolution regarding the storage of rail cars in the Adirondack Park at the appropriate time. She said proposed Resolution No. 423, *Resolution Opposing Saratoga & North Creek Railway's (SNCR) Proposal to Move Tanker Cars Through Warren County on County-Owned Railroad Tracks*, was approved by the majority of the members of the Finance Committee at their September 28th meeting; however, there were concerns with some of the language included in the proposed Resolution and some items included which should be discussed further in Committee before coming to the full Board. She continued, since there was broad support from the Board for a resolution opposing rail car storage in the Adirondacks and for supporting and standing with Essex County which was a neighboring County, she had prepared a new resolution which she would like to introduce.

Motion was made by Ms. Braymer, seconded by Mr. Beaty and carried by majority vote, with Supervisors Dickinson, Merlino, Thomas and Geraghty voting in opposition to introduce a resolution opposing storage of tanker cars in the Adirondacks.

Supervisor Sokol informed he would like to withdraw proposed Resolution No. 423, *Resolution Opposing Saratoga & North Creek Railway's (SNCR) Proposal to Move Tanker Cars Through Warren County on County-Owned Railroad Tracks*, as he believed it was necessary to discuss contractual items further pertaining to this proposed Resolution in the next Finance Committee meeting. He said he was fully supportive of the resolution proposed by Supervisor Braymer.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

Motion was made by Supervisor Sokol, seconded by Supervisor MacDonald and carried unanimously to withdraw proposed Resolution No. 423.

Mrs. Allen announced the proposed Resolution introduced by Supervisors Braymer and Beaty opposing the storage of rail cars would be No. 426.

Supervisors Brock and MacDonald indicated they had no report.

Supervisor Frasier reported on the September 25th meeting of the Health, Human & Social Services Committee, where each Department Head reviewed their 2018 Budget Requests and proposed Resolution Nos. 401-408 were approved. She stated the Support Services Committee had met on September 26th, during which each Department that fell under the supervision of the Committee presented their 2018 Budget Requests. She added proposed Resolution Nos. 389-391 were also approved at the meeting. Supervisor Frasier commented it had been her pleasure to have worked with all of these Department Heads during the Performance Evaluation and Budgeting processes. She said she would like to offer the Department Heads a “pat on the back” for all of the hard work they did for the County.

Supervisor Simpson apprised the Public Works Committee had met on two occasions this month, the first of which was on September 20th during which proposed Resolution Nos. 409-411 were approved. He stated the purpose of the October 13th meeting was for Mr. Ellis to discuss SNCR’s plans to store rail cars on the portion of rail they owned in Tahawus.

Supervisor Dickinson reported on the September 19th meeting of the Occupancy Tax Coordination Committee wherein proposed Resolution Nos. 381-382 were approved and he provided a brief summary of each. He said when Chairman Conover appointed him as Chairman of the Occupancy Tax Coordination Committee he had indicated to him he was not doing him any favors, and he could now state this to be true due to the significant amount of work associated with being the Chair of this particular Committee which he thoroughly enjoyed. He mentioned he had lived in the Town of Lake George his entire life which was why he was so familiar with all aspects of tourism. He advised he had completed the preliminary 2018 Budget for Occupancy Tax which included some drastic changes such as the establishment of a list of eight annual events taking place in the County who requested occupancy tax funds. He explained this would eliminate the receipt of applications for events which took place all over the County because these particular applicants would be awarded the funds every year pending review of their applications. He continued, the remaining funds were mostly redistributed to the municipalities. He thanked Chairman Conover, Supervisors Geraghty, Thomas, Sokol, MacDonald and Merlino, as well as Leisa Grant, *Principle Account Clerk, Tourism Department*, for the assistance they provided him with the budgeting process. He acknowledged the business owners he had the pleasure of conversing with regarding issues they had with occupancy tax. In regards to the Adirondack Civic Center Coalition, Supervisor Dickinson advised the 2018 Budget included the \$250,000 allotment they had been receiving over the past few years. He said since the Coalition had done such an excellent job improving the Civic Center, he felt it was necessary to extend the \$250,000 into 2018 and possibly two more years after that to allow them additional time to work toward becoming self-sustained. He advised the Civic Center was a valuable asset not only to Warren County, but also the region. Supervisor Dickinson remarked he thought the Warren County Lodging Associations “Lake George Tourism Plan” contained a number of valid points; however, he noted, his primary issue with it was that they would like all of the occupancy tax to be awarded on January 1st, noting this was not a plausible option due to the number of outstanding obligations that needed to be taken care of. He mentioned one of the major concerns included in the report was to create a new stand alone CVB (*Convention & Visitors Bureau*) who would take control of some of the occupancy tax funds. He stated he had been contacted

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

by the Lake George Regional Chamber of Commerce & CVB, who had over 460 members, regarding the possibility of increasing the funds for the CVB Division to grow it. He apprised their original funding request was for \$400,000, but through negotiations he was able to get them to reduce their request to \$300,000 with the assistance of Supervisor Merlino. He added he also committed \$50,000 of the additional Occupancy Tax funds the Town of Lake George receives to this proposal, as he felt it was valid and he believed in it. He informed the Tourism Department would be hand in hand with the CVB. He explained the CVB was in no way controlled by the County. He apprised he would be happy to discuss in greater detail the 2018 Occupancy Tax Budget with anyone who wished to do so.

Supervisor Merlino stated the Tourism Committee had met on September 19th, approving proposed Resolution Nos. 379-380 which he provided a brief overview of. He stated the demand for rooms was up 1.8% from the same timeframe last year and the rooms booked during the Adirondack Balloon Festival this year increased 6.5% over last year. In regards to occupancy rate he informed as of the end of September it was up 1.9% from the same time last year and sales tax was up 1.7%. Supervisor Merlino apprised the Traffic Safety Board had met on September 18th, approving proposed Resolution Nos. 392-395. He remarked that Supervisor Dickinson had gone out of his way to work with a significant amount of people to implement changes and move occupancy tax forward in the right direction and he wished the Lake George CVB well with their future endeavors, and, he noted, the County would be keeping a close eye on them.

Supervisor Strough advised the Legislative & Rules Committee had met on September 26th, approving proposed Resolution No. 383 which he requested support of. He advised he too had attended the Annual Meeting and Volunteer Recognition for Cornell Cooperative Extension last night. He commented he felt the Organization contributed greatly to the quality of life in the County in many different ways and he thanked Dr. Seeley, his staff, the Board of Directors and the volunteers for their efforts.

Supervisor Seeber stated that the Personnel & Higher Education Committee had approved proposed Resolution Nos. 412-413 and 425 and she provided a brief overview of each. In regards to Personnel, she apprised she would like to highlight that they had worked very hard with Jaeger & Flynn Associates, Inc. with regard to employee benefits. She mentioned open enrollment was currently going on and continued through October 27th; she noted that because of their efforts as a Board in working with the Human Resources Department and the representatives of Jaeger & Flynn Associates, Inc., a streamlined process was developed for all employees to sign up for their benefits during open enrollment. She commented she was pleased to report over 60% of employees to date had signed up for their benefits which was well ahead of what had been anticipated. She added an additional vision plan was a new benefit being offered to employees at full cost which was very minimal and provided further options for their vision coverage. Supervisor Seeber informed employees now had the option of participating in Telemedicine which allowed employees to meet with a doctor via telephone or electronic device at no cost to the employee. She advised the online forms were working well and explained this permitted employees to review documents with different options that were available to them online. She remarked this was a big step in the right direction which she attributed to the efforts of the Human Resources Department which she was appreciative of. Supervisor Seeber apprised a lengthy discussion took place at the October 17th meeting of the Personnel & Finance Committee regarding the County Attorney and County Administrator positions. She said she was pleased to report there were five potential candidates that were being pre-screened as potential applicants for the County Attorney position with a target date of mid-November for interviews to take place. As it related to the County Administrator position, she informed the Committee decided to continue to accept applications for the position until November 10th with the hopes of scheduling interviews at the end of November. Supervisor Seeber apprised the Airport Advisory Group, which, she noted, was a sub-section of the County Facilities Committee, had met on October 17th. She explained the purpose of assembling this

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

particular Group was to provide technical advice and community input as it related to the Airport with the main goal of having an active and respectful dialogue in regards to the FBO (*Fixed Base Operator*) contract and going out for what was now and RFQ (*Request for Qualifications*)/RFP (*Request for Proposal*) process. She commented she felt this had been very effective, as many good conversations had taken place at these meetings amongst all of the members. She advised the Group was looking forward to seeing a draft lease that would accompany the RFQ/RFP. She stated anyone from the public who had questions pertaining to the RFP/RFQ process were encouraged to reach out to the County Facilities Committee or the Airport Advisory Group. She informed Wayne LaMothe, *County Planner*, had attended the meeting to provide an update on the RFQ/RFP process and answer any questions. In conclusion, she said she would be requesting a few roll call votes at the appropriate time.

Supervisor Beaty thanked the hundreds of people who stood in line for hours to pay respect to one of the classiest residents of Warren County, Dave Strader, who recently passed away. He mentioned he saw several members of the Board in attendance and he thanked them for doing so. He stated everyone was aware of how special Mr. Strader was and were aware of how he continually advocated for the Adirondacks and this region during the television broadcasts he was featured on.

Supervisor Montesi reported on the September 18th meeting of the Criminal Justice & Public Safety Committee wherein proposed Resolution Nos. 396-400 were approved and he provided a summary of each. In regards to after hours arraignments, he apprised it was critical that each Town Supervisor contact their local Justice to ensure they were on board with the proposed concept following which a resolution would need to be adopted by the Town Boards stating such and then returned to him before the middle of November so he could deliver them to Honorable Gary Hobbs, *Glens Falls City Court Judge*, who would submit to Albany for approval. He said the application for financial assistance from the State for this Program was complete, with the exception of this portion. He advised once the application was submitted they would be notified whether the State would be providing any funding for this purpose. Supervisor Montesi informed the construction on the Court House was proceeding ahead of schedule and on budget. He announced a mock up model was erected to allow those who had expressed concerns with the Project an idea of what the finished product would be. Supervisor Montesi said the purpose of the October 31st meeting of the Criminal Justice & Public Safety Committee was to allow the Albany County Sheriff to discuss the possibility of implementing Regional EMS. He mentioned they would more than likely be able to provide 24/7 EMS coverage if they were to move forward with such a program.

Supervisor Geraghty interjected this meeting was requested by Senator Little's Office and would include Essex County, Clinton County and possibly one other County. He said the purpose was to learn more about the County-wide EMS Program which had been in place for several years in Albany County. He said the Albany County Sheriff's Office administered their program which appeared to be working well. He mentioned it was an optional service and he encouraged all to attend and learn more about the Program.

Supervisor Montesi requested that Mrs. Allen compile the resolutions adopted by the Towns for him so they could be forwarded to the District Attorney's Office.

Supervisor Sokol provided an overview of Finance Committee meeting held on September 28th wherein proposed Resolution Nos. 377-378, 414-418, 422-423 were approved. In regards to proposed Resolution No. 423, *Resolution Opposing Saratoga & North Creek Railway's (SNCR) Proposal to Move Tanker Cars Through Warren County on County-Owned Railroad Tracks*, which had already been addressed, he felt compelled to point out he was originally in favor of it, but was reconsidering it because it was rather broad. He noted he felt proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, that was introduced earlier by Supervisor Braymer was more appropriate and he thanked her for her efforts. In regards to the report by the County Treasurer, Supervisor Sokol apprised

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

they would be forgoing the report this month, as Mike Swan, *County Treasurer*, had been out of the office due to a surgery. He remarked he would like to echo Supervisor Frasier's comments from earlier in the meeting regarding the Department Heads deserving recognition, pointing out as the previous Chair of the Health, Human & Social Services Committee he had worked with those Department Heads, all of whom had difficult jobs. In conclusion, he said he too had attended the tribute to Mr. Strader, whom he felt was a wonderful man and would be missed.

Supervisor Thomas informed the soon to be proposed 2018 County Budget was nearing completion with only four outstanding items being worked on. He reminded them one of his main goals for the 2018 County Budget was to incorporate the Debt Service for the Court Expansion and NSTEM (*Nursing, Science, Technology, Engineering and Mathematics*) Projects and acquire revenue behind that expense. He said at this point about 76% of the Debt Service, \$1.1 million, was covered by revenue in the Budget, leaving approximately \$425,000 to be covered by the Unappropriated Surplus which he hoped would be taken care of in the 2019 and 2020 Budgets. He remarked he was pleased they had managed to accomplish this and he indicated the County would have issues in future years with the Unappropriated Surplus if they had not locate a revenue source to cover that expense. Supervisor Thomas apprised the proposed 2018 Budget included a 2.9% pay increase for non-Union employees and there were a few salary adjustments, but less than what was included in previous years budgets. He informed a Budget Committee meeting was scheduled for October 27th at 11:00 a.m. during which he would provide more details regarding the proposed Budget and the following Friday the Special Board Meeting was scheduled to propose the 2018 County Budget. In regards to sales tax, he said if it remained at its present level or increased to 2% the County would be in good financial standing.

Supervisors Hyde and Leggett indicated they had nothing to report on.

Continuing to the report by the acting County Administrator, Supervisor Geraghty recognized Terry Jeffords for 35 years of service to the Sheriff's Office, which he said was greatly appreciated.

Supervisor Geraghty stated he would forgo reading aloud the listing of the meetings he attended since the August 17th Board Meeting since the Committee reports had covered this; a copy of which is on file with the items distributed at the Board Meeting. He stated he would like to thank all of the Supervisors who participated in the Performance Evaluation process and he acknowledged Supervisor Seeber for being instrumental in getting the process in place and ensuring it was followed through. He commented he felt the process was worthwhile, advising he believed the majority of the Department Heads had made significant performance improvements following their first evaluations in the Spring. He said he concurred with Supervisor Frasier that the Department Heads did an excellent job which went unnoticed. He added the stellar performance of the County Department Heads was evident during the evaluation process for which they would be rewarded, as would be the case if they worked in a private enterprise, as well. He mentioned the plan going forward was to go deeper with the process into the Departments and offer more incentive for employees to perform to the highest level. In regards to the October 31st Criminal Justice & Public Safety Committee meeting, Supervisor Geraghty apprised he believed the meeting was important for all to attend to determine whether they were interested in participating in a program such as the one Albany County had in place. He advised participation was optional, but he could attest to the fact that the County was at a crossroads with EMS across the County. Supervisor Geraghty informed he would be making some comments regarding the proposed Resolution concerning SNCR at the appropriate time.

Continuing with the Agenda review, privilege of the floor was extended to Mary Elizabeth Kissane, *Acting County Attorney*, to provide a report from the County Attorney. Ms. Kissane stated she had no report.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

Chairman Conover then called for the reading of communications, which Mrs. Allen read aloud, as follows:

Reports from:

1. Report of Criminal and Family Workloads for August 2017 from the Warren County Probation Department.
2. Warren County Department of Weights & Measures Monthly Report for September 2017.
3. Capital District Regional Off-Track Betting Corp. Financial Reports dated June 30, 2017 and July 31, 2017

Minutes from:

1. Counties of Warren & Washington Industrial Development Agency Executive/Park Committee minutes dated September 13, 2017.
2. Counties of Warren & Washington Industrial Development Agency Committee dated September 18, 2017.
3. Counties of Warren & Washington Civic Development Corporation dated August 22, 2017.

Capital District Regional Off Track Betting Corp. August 2017 surcharge check in the amount of \$6,541 and 2017 2nd Quarter Benefit District in the amount of \$4,138

Town of Queensbury copy of application to the Office of the New York State Comptroller for the establishment of the Carey Road Sanitary Sewer District.

Town of Queensbury Notice of Public Hearing regarding adoption of the 2017 South Queensbury - Queensbury Avenue Sewer District Benefit Tax Roll which is to be held on Monday September 25, 2017 at 7:00 p.m. in the Queensbury Activities Center located on Bay Road in Queensbury, NY.

Drescher & Malecki LLP, Certified Public Accounts Warren County Financial Statements and Required Reports for the year ended December 31, 2016.

Hamilton County Resolution No. 248 of 2017, *Resolution Supporting Statewide Ballot Proposal Number 3 that will Create a Land Account to Address Specific Public Health and Safety Concerns for use by Towns, Villages and Counties Having no Viable Alternative other than using Forest Preserve Land.*

Washington County Resolution No. 199 of 2017, *Approving Contract Between Adirondack Community Collage and the Educational Support Personnel Association 2017-2018 Year through 2019-2020 Year*

Maureen Schmidt, Commissioner of the Department of Social Services letter announcing resignation effective January 24, 2018.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 377-421 were mailed; she informed that proposed Resolution No. 378 was amended after mailing and a motion was necessary to approve the amendment to the resolution. The necessary motion was made by Supervisor Braymer, seconded by Supervisor Sokol and carried unanimously. She advised that proposed Resolution Nos. 422-425 were prepared after mailing and a motion was necessary to bring them to the Floor. The necessary motion was made by Supervisor Montesi, seconded by Supervisor Strough and carried unanimously.

Chairman Conover called for public comments from anyone wishing to address the Board on any

matter.

Ed Moore, *Representing the Adirondack Civic Center Coalition*, thanked the Board for their continued support of the Civic Center and, he noted, their Organization believed it was for a worthwhile cause. He said they continued to work hard to justify the County's support of their Organization and ensure it remained a great venue for the region. He said there were 90 events scheduled for this year. He mentioned the venue was vital to the community years ago and would not be here today without the financial assistance which was provided by the County. He said they were like a baby just learning to walk and if the County were to pull the financial support from them it would be paralyzing to them; He remarked they would never be able to move forward if that were to occur. He added they planned on continuing to work hard to ensure the success of the Civic Center.

Mr. Ellis introduced himself and then proceeded with a short Powerpoint presentation which provided a brief overview of SNCR's history, passenger capabilities, its unique elements, impact on tourism and their plans for rail car storage, as well as their plans for the future. He concurred with Supervisor McDevitt that high speed rail was the way of the future and, he noted, every successful high speed rail line in the world had feeder lines to allow individuals who lived in rural areas to get to the high speed line. He pointed out the rail line they operated here was the only one in the region. He apprised of the agreement they just finalized with the Stony Creek Ranch as part of their new Christmas Train theme which was much less expensive than the Polar Express theme used in previous years. He stated they were continuing with the development of storage customers. He commented he was disappointed with some of the news organizations who characterized the cars in storage as oil tank cars, as they were simply tank cars. He requested that they table proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, until the Board had a chance to talk to the Town of Corinth, who was the County's partner with the Rail Road and himself to develop a solution that would work for all interested parties. He concluded by stating he would be happy to answer any questions anyone may have.

Justin Gonyo, *Town of Johnsbury Resident*, advised although he normally addressed them as the General Manager of SNCR, today he was addressing them as a resident of the Town of Johnsbury who graduated from Johnsbury Central School in 2003. He said to his knowledge he was one of two of his classmates that chose to stay in the Town of Johnsbury and attempt to earn a living. He explained what he meant by attempt to earn a living related to the fact that when you lived in small towns it was not easy to earn a living and may require changing jobs often. He informed not including himself, Iowa Pacific Holdings currently employed 7 employees in the Town of Johnsbury, all of whom made an average salary of \$20 per hour. He remarked he understood the need to protect the Adirondack Park since he had lived here his entire life and loved all of the extra curricular activities offered there; however, he noted, there was also a need to protect jobs in the community, as well as economic development. He said they were right to think of how Iowa Pacific Holdings laid off employees during the winter months, but this was no different than nearly all businesses located in the Adirondacks who laid off employees at some point during the year because they did not have enough business to support them. He mentioned these employees were forced to locate other part-time jobs in order to subsidize their living. He informed the only way a business in the Adirondack Park whose base was tourism could sustain itself was by finding alternative sources of income which was exactly what Iowa Pacific Holdings had done. He remarked he was speaking as a resident of North Creek because he was aware that Iowa Pacific Holdings provided a benefit to the Town of North Creek, allowing the residents there to shop locally, pay their taxes and provide for their families, including his own. He informed he was aware of a number of projects that had come forward over the years for the Town of North Creek which were opposed such as placing wind mills on the backside of Gore Mountain. He said that particular project was similar to the storage of rail cars in that the wind mills were going to be placed out of view to the

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY OCTOBER 20, 2017

general public, would provide green power to the Town and appeared to be something everyone should be supportive of and yet for some reason it was voted down. He commented he understood his thoughts may be viewed as biased because he worked for Iowa Pacific Holdings so he concluded by stating when a company came forward with a proposal that would benefit the County and its residents and followed all the laws, protocols and procedures which were outlined to protect those same individuals then he had to question what the Board was really opposed to.

Travis Whitehead, *Town of Queensbury Resident*, apprised he would like to bring some facts to their attention, the first of which pertained to the reports submitted to the County Treasurer's Office by SNCR which he obtained a copy of. He said included in the report was a summary of activity for January 1-September 30, 2017, which showed the train had less than 1,000 passengers which equated to less than 4 passengers per day. He remarked if anyone felt this was providing a benefit to tourism he hoped they would look elsewhere at tourism. He questioned how even one job could be sustained with only four passengers per day. He said it would be beneficial if SNCR could generate additional revenue; however, he noted, he did not believe when they first started their operation in the County, the storage of cars was not one of their proposals to generate revenue. He said perhaps the Board could have foreseen that storage of rail cars here would be forthcoming since it Iowa Pacific Holdings was already storing them in other locations across the Country when their contract with the County was originally signed, but he could not state that for sure. He reiterated there was no way to sustain operations with only four passengers per day.

Curt Austin, *Town of Chester Resident*, stated he had conversations similar to those Supervisor Dickinson had mentioned with business owners within the First Wilderness Heritage Corridor, which included several Towns, but had not located a single one who would prefer the current rail road operation to a multi-use trail. He encouraged Supervisor Dickinson to speak to more business owners regarding this. He pointed out the choice before the Committee was a bike/snowmobile trail versus rail road car storage business. He said he was confident he knew which option was more suitable for the Warren County residents.

Mike Wild, *Town of Queensbury Resident*, informed he had given this matter a significant amount of thought lately, noting he was not in support of storing rail cars in the Adirondack Park, but was confused because if he heard correctly, Mr. Ellis had brought this before the Board the last time the contract was renewed. He continued, his confusion was brought about by the fact that the Board was bringing forward a resolution now which indicated they were opposed to rail car storage when that should have been dealt with during the contract negotiations. He remarked going forward the Board needed to be mindful of the consequences which were a result from their decisions and this appeared to be an instance when unforeseen consequences occurred and he implored for them to work harder on taking this into consideration when making decision.

Chairman Conover called for discussion on the proposed resolutions, as well as requests for roll call votes.

Supervisor Seeber requested roll call voted on proposed Resolution Nos. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, and 381, *Amending Resolution No. 555 of 2016, Which Authorized Agreements with Certain Applicants for the Disbursement of 2017 Occupancy Tax Revenues, to Reallocate Funding Awarded to the 398 Group for the American Music Festival for the Lake to Improv Records, Inc.*

Supervisor Geraghty requested a roll call vote on proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks.*

In regards to proposed Resolution No. 407, *Amending Resolution No. 508 of 2016, Which Was Amended by Resolution No. 49 of 2017, Authorizing Agreements with Various Organizations for Additional Services under the Title III-B Program for Office for the Aging, to Add and Delete Contractors and Adjust Contract Amounts*, Supervisor Thomas inquired why each contract was being reduced by \$50 and Ms. Kissane responded an additional Organization was added to the contract so they reduced all other contracts by \$50 to ensure the budgeted amount remained the same. Supervisor Thomas questioned which organization was added to the contract and Ms. Kissane replied she could not recall their name. Supervisor Leggett interjected that it was the Town of Wells who was added to the contract.

Supervisor Dickinson advised he would like the opportunity to respond to a few of the public comments regarding the Rail Road. He said it was well known passenger trains generally did not make a profit, including Amtrak. He said those who had ridden passenger trains before would be aware of the fact that when a freight train comes across a passenger train it would pull off of the tracks to let them go by. He informed this was because a freight train took precedent over passenger trains, as they were the ones who generated income which was why he was not surprised to learn SNCR had not been able to generate any revenue from their tourist train. He apprised he felt the tourist train provided a service that some enjoyed and he gave them credit for continuing to operate it even though their expenses were far exceeding the amount of revenue they generated. He commented the fact of the matter was that they were a business and the storage of cars and running freight was what was required for them to be able to ever turn a profit. He reminded the Board the County was partners with SNCR which was why he could not comprehend why they would not be fully supportive of their efforts.

Supervisor Geraghty informed the reason he would be voting in opposition of proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, was not because he felt storage of rail cars was the best use for the rail road tracks but rather because the portion of the railroad that would be used for storage was owned by Iowa Pacific Holdings and he felt they should be able to do as they please with them. He pointed out the storage of rail cars was going to assist SNCR by providing them with a source of revenue so they could continue to operate the passenger train here, as well. He remarked he was aware there was no money to be made in passenger services which was why he was fully supportive of freight. He apprised he had received several phone calls regarding the matter, none of which were in support of it, but to him it related to principle and he reminded them of how the County had the option of purchasing the tracks located north of North Creek, but did not even entertain that as an option and instead they were purchased by Iowa Pacific. He added the Resolution adopted by Essex County opposing the storage was not adopted by unanimous vote, as there were several Supervisors who voted in opposition of it. He remarked he was not voting against his colleagues but rather the principle that the County was denying Iowa Pacific Holdings, who purchased the tracks, the right to use them the way they saw fit. He referred to the proposed Resolution as a "feel good" one since neither the County nor the State had any authority to put a stop to it. He suggested they hold off taking any action until the State determined whether they could block Iowa Pacific Holdings from doing this because it would be in the Adirondack Park. He concluded by stating the County was doing the same thing he had listened to constituents for years now complain about with regard to the use of their own land in the Adirondack Park. He apprised he wished they were hauling freight on the line from Tahawus rather than storing rail cars on the line to improve their economic viability, but that was not the case.

Supervisor Merlino reminded them they needed to take into consideration how the Towns of Hadley and Corinth felt about the storage of rail cars since they were partners with the County on the railroad and it would have an impact on them, as well. He commented he was fully supportive of the storage of rail cars, and, he noted, a significant amount of money had been invested in the tracks. He stated they could reevaluate whether this was becoming an issue at the end of the contract in four years and then make the necessary changes, but right now they were going against the contract they had in place

with Iowa Pacific Holdings.

In response to the comment made by Mr. Austin, Supervisor Dickinson advised Mr. Ellis had offered to co-habitate the rail line and had even suggested the County look into constructing a bike trail within their right-of-way which was why he could not understand the bicycle and hikers point since Mr. Ellis was willing to work with them. He suggested Mr. Austin look into partnering with Mr. Ellis to move the implementation of a multi-use trail forward if that was what their.

Supervisor Thomas apprised when he was first elected to the Board, the Country was offered the opportunity to purchase the rail line north of North Creek with the Open Space Institute, but at that time the Board determined it was not in the best interests of the County to make that purchase. He remarked he would like to echo Mr. Gonyo's comment, as he was fully aware of what it was like to squeeze out a living in a small Town and have to go from job to job in construction and contracting since he had lived in the Town of Stony Creek his entire life. He said the issue with tourism related jobs is that when the winter season arrives and jobs were scarce people still had to feed their families and pay their taxes. He stated any jobs the Rail Road could provide to the Towns of Johnsbury, Stony Creek, Thurman and Corinth was a benefit to them. He pointed out the County was using \$441,000 of the \$5.5 million Iowa Pacific Holdings invested in the Rail Road as matching funds for grants that were awarded from the State. He said this meant the Rail Road paid the 50% match the Towns who received the grant would have been required to pay. He added he believed the Rail Trail Concept was feasible and parts of it could be done sooner rather than later.

Supervisor Braymer stated she would like to point out a few things, the first of which pertained to the fact that Resolution No. 423, *Resolution Opposing Saratoga & North Creek Railway's (SNCR) Proposal to Move Tanker Cars Through Warren County on County-owned Railroad Tracks*, which was adopted by the Finance Committee and subsequently withdrawn referred to breaches in the contract, but proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, made no reference to opposing SNCR or their operation of the tourist train which everyone had acknowledged was not doing well. She suggested over the next three years they consider what their long-term plan was for this Corridor. She commented she was disappointed the County had not considered purchasing the rail line north of North Creek. She reminded them during the time the contract was being renewed she had requested that the terms be renegotiated, but they received counsel at the time that this was not an option so they moved forward with renewing the contract under the exact same terms. She concurred with Mr. Wild that they should have addressed the rail car storage then; however, she noted, that did not mean they should not be voicing their objections to it now because doing so would only compound the issue. She questioned what the County would do with the 2,000 rail cars SNCR wanted to store in three years when the contract was over. She remarked she was hopeful they could work with their partners on the Railroad including SNCR and come up with a successful way to generate revenue, but right now she wanted to go on record that she was fully supportive of proposed Resolution No. 426.

Supervisor MacDonald apprised Mr. Ellis had articulated to the Board that he was interested in pursuing rail car storage almost two years ago which he had concerns with that were still valid today. He stated the County had been good partners with SNCR and took no drastic measures when payments were late or when the tourists trains were abruptly cancelled. In regards to the County's partners with the Railroad in Saratoga County, he remarked he did not believe the residents there would be in favor of storing rail cars. He pointed out the County could not prevent SNCR from storing these rail cars, but they did not have to be in favor of this. He stated he did not like this or the fact that he had observed similar situations in other parts of the Country such as Chicago, Illinois where Iowa Pacific indicated they were going to store rail cars there or be compensated for the loss on revenue if they did not which was the same thing he had indicated in this case. He stated his made him feel like he was being bullied which he did not appreciate.

Supervisor Montesi questioned whether SNCR could still maintain the storage of rail cars on their property if they were to cease being the Rail Operator in Warren County when the contract ended and Chairman Conover replied that Mr. Ellis had indicated at the October 13th meeting of the Public Works Committee that if SNCR ceased being the Rail Operator they would discontinue the storage facility.

Supervisor Leggett informed proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, stated that the Board supported Essex County's opposition to the storage of tanker cars in the Adirondack Park and in particular in Essex County, noting this was what they were voting on today, but it was being framed as a vote in opposition of the storage as a vote against SNCR. He said he did not like being placed in a position where it was being framed that way because he was a supporter of the Railroad which brought economic opportunity to the region and had a significant amount of potential; however, he noted, as a Town Supervisor that had a comprehensive master plan and zoning laws in effect for them, but were still struggling with enforcing some of those especially in the case of junk cars, he could foresee how the storage of rail cars could become an issue in the future. In regards to the APA regulations Supervisor Geraghty referred to earlier, whether they were for them or against them they learned to live and work with them to chart a course for the future of what they envisioned the Adirondacks to be. He mentioned he had observed the issues with rail car storage when he lived for a short timeframe in Colorado. He commented he would be voting in favor of proposed Resolution No. 426, with respect to Essex County, but he did not want his vote to be misinterpreted as a vote against SNCR, but rather a vote to comply with what the Towns and region envisioned for the future.

Supervisor Dickinson remarked he believed some on the Board were mistaken if they thought the County had the right to block SNCR from storing rail cars, as this was not the case. He explained the County's contract with SNCR dealt with passage through Warren County, but these rail cars would not be stored here. He stated he felt they were overstepping themselves with this issue since the SNCR had the legal right to move forward with storing these cars. He said the issue would be with the APA, if at all, but he was unsure whether there was one. He informed he did not want to be a bad partner and paint a bad picture on an enterprise SNCR was entering into legally on behalf of someone else which was why he would be voting in opposition of proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*.

Supervisor McDevitt informed he would be voting in favor of proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*. He reminded them an elected official from the Town of Minerva spoke rather aggressively against rail car storage in Essex County at the October 13th Public Works Committee meeting. He questioned how the Supervisors would feel if the rail cars were stored in their municipalities, as he believed those in favor would be opposed if this were the case.

Supervisor Beaty apprised he had been listening to all of the opinions and could see both sides of the issue. He stated he was disappointed when Mr. Ellis left the room when people from the public and the Environmental Agencies were offered the opportunity to voice their opinions regarding rail car storage at the October 13th Public Works Committee meeting, noting he felt it was very disrespectful. He pointed out there were many times he himself did not want to hear certain things, but he sat and listened anyway. He stated this indicated to him Mr. Ellis was rather arrogant which turned him off. He stated he was in support of proposed Resolution No. 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, but he was also a fan of the Railroad and understood the business implications as to whether SNCR had the legal right to store these rail cars. He remarked he felt Warren and Essex Counties were one which was why he could not in all consciousness "hang Essex County out to dry".

Supervisor Brock said a partnership only worked when each partner worked for the best interest of

each other. He advised it was symptomatic of a bad partnership when one partner does something the other partner s did not want them to do thereby relying upon the legal argument that they were within their rights to take this action. He suggested Mr. Ellis consider his actions because in essence he was damaging the partnership the County had with SNCR and relying on the fact that he was within his rights to store the cars and, he noted, he believed this was the wrong way to go about things.

Supervisor Seeber indicated she would like to discuss two separate proposed Resolutions, the first of which was 381, *Amending Resolution No. 555 of 2016, Which Authorized Agreements with Certain Applicants for the Disbursement of 2017 Occupancy Tax Revenues, to Reallocate Funding Awarded to the 398 Group for the American Music Festival for the Lake to Improv Records, Inc.* She asked Supervisor Dickinson how much notice the 398 Group provided for when they determined they would not be hosting The Marshall Tucker Band concert and Supervisor Dickinson responded he was unsure of the exact date, but it was during the mid summer season and well before the date of the event. He added another promoter was recruited to sponsor the event. Supervisor Seeber apprised while she was pleased to hear the event was a success she thought it would have been more appropriate to bring the proposed Resolution before the full Board at the September 15th Board Meeting which was why she would be voting in opposition of it. She added she was also troubled with the number of resolutions the Board was ratifying, noting there were several before them today. She said while proposed Resolution No. 381 did not refer to ratifying, it did relate to action being taken after the event had already occurred. She indicated she believed there was a more suitable process to bring this information forward.

Supervisor Dickinson stated he felt compelled to respond to Supervisor Seeber. He said he had approved providing the funds originally slated for the 398 Group to be awarded to Improv Records, Inc. He commented he was unsure of what Ms. Seeber's concern was since the event took place regardless of who was promoting it.

Supervisor Seeber apprised as a Board they had weighted votes and discussed the resolutions that went before them every month, but as a Committee the Committee members vote only counted once. She pointed out Supervisor Dickinson approved this before it went before the Occupancy Tax Coordination Committee. She commented her point was the Board should make more of an effort to be aware of the items such as those that were being ratified before them today before they were brought before the full Board. She said she thought they could all do a better job reviewing contracts and more specifically those that related to the use of taxpayer funds. She continued, she believed they had the opportunity with many resolutions to bring them to Committees prior to the Board Meeting and this particular resolution was one example of many.

Supervisor Geraghty informed although he could not recall which Committee it was, he remembered when Robert Blais, *Mayor for the Village of Lake George*, brought the change in promoters for the event before the Committee which was subsequently approved. He said it appeared to him the issue was that there was not another Committee meeting scheduled to approve the change in who was awarded the funding for the event. He continued, he believed Supervisor Seeber's concern was this should have been brought back to the Committee to approve the change in funding arrangements, but Supervisor Dickinson authorized the change because the only difference was in who the promoter was because there was no Committee meeting scheduled. Supervisor Montesi interjected that Mayor Blais had notified the Park Operations & Management Committee of the change.

Supervisor Merlino pointed out no money was lost, as they were able to find a promoter to take over when the 398 Group cancelled. He stated he felt Supervisor Seeber was making a good point, as proposed Resolution 426, *Resolution Opposing Storage of Tanker Cars in the Adirondacks*, was brought before them today without prior review from the Committee. He remarked he believed proposed Resolution No. 426 should be tabled and referred to the Committee for discussion.

Supervisor Dickinson apprised he had been a member of the Board for ten years and was well aware of all of the rules, regulations and requirements that must be adhered to. He said as Chairman of a Committee he took the responsibility and made the executive decision to approve this. He said since the same band performed that they had paid for and the only difference was with the promoter, he was unsure of what the issue was.

Supervisor Seeber remarked in regards to proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, she was not personally attacking Supervisor Dickinson, as she did not believe in personal attacks, but she would like to converse about the process. She said she was pleased Supervisor Dickinson was afforded the opportunity to express how long he had been a member of the Board and the opportunities he had in terms of Chairing a Committee and the authority associated with it and in this particular instance the Occupancy Tax Coordination Committee. She said she was well aware her opinion was not supported by the majority of the Board and she was not expecting everyone to stand with her and vote in opposition, but she was bringing this to light due to her concerns with the process. She pointed out they were awarding 2018 Occupancy Tax monies in October which, as stated by Supervisor Dickinson, was drastically different than the method used in previous years. She informed during her four year tenure on the Board she had enjoyed the opportunity to attend the Occupancy Tax Coordination Committee meetings and as a group see new entities coming before them to request funding and elaborate on why they were worthy of receiving it. She stated she was previously a member of the Occupancy Tax Coordination Committee, but because she was no longer, during the September 19th meeting she voiced her concern as a non-member and inquired whether they would be afforded the opportunity to review applications from the eight entities who were awarded funding in the proposed Resolution since she was not aware of any being received. She indicated normally she would have asked to table the proposed Resolution since she had not been able to review these applications; however, she noted, she would not be making this request because she knew she did not have the support to do so. She continued, she believed many other members of the Occupancy Tax Coordination Committee, as well as the Board were surprised by this change. She stated she was not present today to debate whether the entities were worthy of occupancy tax funding because she had done so in a public setting and talked about each application when she was a member of the Committee; she added she believed most of the events were justified in receiving the funds, but they were not going to have the opportunity to review applications this year because if this was adopted it would be forwarded on to the Budget Officer to include in the 2018 County Budget and for her to oppose that she would have to vote in opposition of the entire County Budget. She stated in response to Supervisor Brock's concerns regarding the fact that they felt the preparation of the County Budget was a closed door one, Supervisor Thomas made changes and required the Department Heads to review their Budget Requests with their respective Committees thereby resulting in a very interactive process. She continued, the Budget teams schedule with Department Heads was also made readily available to any Supervisor upon request to allow them to attend the meetings if they so desired. She added Supervisor Thomas also used the Performance Work Plans to assist with determining pay increases for Department Heads. She remarked because they had spoken up about the process it was improved and she did not believe the way in which occupancy tax funds was awarded was as good as it could get, but she recognized the hard work done by Supervisor Dickinson with members of the public and different Supervisors of which she was not one because she was not a member of the Committee and she had an opposing viewpoint. She stated she did not believe the proper procedure was followed in this case, as it was a quick change that the majority of them were left out of. She indicated she did not expect support on this, but she felt compelled to express her view point that she believed there was a better process that the County could be utilizing. In reference to the Lake George CVB, Supervisor Seeber advised she was pleased with the results they were obtaining from them and she happy to hear they would be awarded additional funding; however, she noted, she only learned of this today and not at the Committee meeting when she specifically asked about this, but was told the contract was being renegotiated. She continued, she was delighted the County was going to continue to support the Civic Center, but again she was not

made aware of this until today. She commented she was discouraged that so much power was being given to one individual in the manner that it was. She said she would hope the Board would vote in opposition of the proposed resolution, or table it and refer it back to the Committee and request to review the applications, inquire how the money would be expended with these eight entities which totaled \$198,000. She noted she was in favor of the proposal for a destination marketing organization, but they had not heard that as a full Board. She reiterated this was not a personal attack against Supervisor Dickinson, but rather an objection to the process.

Supervisor Dickinson stated he disagreed wholeheartedly with everything Supervisor Seeber had just conveyed. He informed part of his workload was to revamp occupancy tax and this was one key part of it. He commented of the 20 members on the Board, there were only two who were delegate Towns that were representative of County's tourism industry. He apprised he changed the process because he believed it was ineffective for them to be reviewing applications from events all over the County most of which they were not familiar with. He said he went through all of the applications the County had and selected eight very successful events, that with the exception of the Adirondack Wine & Food Festival, had been repeatedly supported by the Board to fund with occupancy tax from the County and would continue to do so as long as these events were successful. He continued, if the Board approved proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, he would contact all eight of these entities to review the rules and regulations with them, which would include submitting an application as practiced in previous years which would include their intentions for the money and how it would assist them. He remarked nothing had been short circuited nor had the Board been denied the opportunity to review any of the applications, as there would be plenty of opportunity to review them before these entities were awarded any funding. He noted the point was to review each application internally on an annual basis and as long as the Committee deemed them to be successful the funding would continue.

Supervisor Braymer apprised what Supervisor Dickinson just stated was backwards, as the applications should be reviewed prior to awarding the funds. She pointed out circumstances could occur where an entity did not require as much funding as what was set aside for them. Supervisor Dickinson interjected they would not be awarded the full amount if that were the case. Supervisor Braymer remarked each entity would submit applications seeking the amount set aside in the Resolution for them since they were aware of how much funding was listed for them. She added she was not appreciative of Supervisor Dickinson announcing the County would be awarding \$300,000 to the Lake George CVB, noting it had not been brought before the Committee or Board for approval. She said this should be debated by all of them and not a decision made by the two Supervisors who was a delegate for the Towns that were representative of tourism industry in the County.

Supervisor MacDonald pointed out the money budgeted for the Lake George CVB and Civic Center was not part of the Resolution before them today which meant they would have a chance to properly converse about that properly during the budget process.

Supervisor Seeber suggested they amend the Resolution to state \$198,000 to be determined upon receipt of applications which will be reviewed by the Committee since this was how the process had previously been handled. She reminded them last year they reviewed the applications following which they used a scoring sheet which Supervisor Merlino and the Tourism Department developed to determine who would be awarded funding and how much their award would be. She commented she was not stating these entities were undeserving of the funds, but rather that she was unsure why they were awarding them the funds at this point. She questioned whether she had support to make a motion to amend proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, to make no reference to who the funding would be awarded to or possibly tabling it altogether so it could be brought back to Committee to review the applications before determining who and how much funding would be awarded.

Motion was made by Supervisor Seeber and seconded by Supervisor Braymer to amend proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, to award \$198,000 under the Occupancy Tax awards to be determined at a later date upon receipt of applications and discussion of the Occupancy Tax Committee.

Supervisor Dickinson apprised he had put a significant amount of effort into changing the occupancy tax, which was complicated at times. He said the eight entities he selected were all very profitable for the County, noting they were the premier events that took place here. He advised he was unsure of what Supervisor Seeber's issue was since all of these events were extremely successful. He informed the purpose of the proposed Resolution was to make a commitment for that money for the upcoming year following which it would be reviewed on an annual basis. He voiced his objection to adopting a Resolution setting aside funding to be awarded at a later date, because these eight entities wanted to know whether they would be awarded the funding because they were currently working on attracting attendees to their events next summer. He pointed out this was not something they worked on a few weeks before the event, but rather they commenced preparation for the next event immediately following the conclusion of the current one which was why he felt it was so important to make a commitment to them now.

Supervisor Leggett stated as a member of the Occupancy Tax Coordination Committee, proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, was brought before them, but no input was provided which was why he thought they were suffering the consequences now. He concurred with Supervisor Dickinson that these were the top eight events held in the County, all of which had been funded in previous years and worthy of the County appropriations. He said last year the Committee listened to a number of proposals for which they had \$175,000 to distribute; however, he noted, the Committee allocated \$285,000. He remarked while he did not support the proposed amendment to Resolution No. 382, he was supportive of Supervisor Seeber speaking to the value of following the proper process for this and transparency relating to the disbursement of public funds.

Supervisor Dickinson questioned whether the Board was listening to him, noting he was not short circuiting the process, but rather setting the funds aside for these eight entities following which invitations to apply for the funding would be distributed to them. Subsequent to the applications being received, Supervisor Dickinson apprised it was determined they were not worthy of the funds no money would be awarded to them.

Supervisor Geraghty informed he thought he had observed the list of the eight entities at the Committee meeting and Supervisor Leggett responded they were presented to the Committee for approval which was given at their September 19th meeting and forwarded on to the full Board today. Supervisor Dickinson stated he presented the list of the eight entities and the proposed funding amounts to the Committee at their last meeting.

Supervisor Seeber apprised they were present today having this discussion because proposed Resolution No. 382, was pushed through the Committee process with little discussion or time allotted for such discussion. She mentioned she would have no issue with withdrawing her motion to amend proposed Resolution No. 382 if that was the pleasure of the Board; however, she noted, her issue related to the fact that when she asked if they would be reviewing applications she was told they would be and now they were being asked to vote on something without seeing any applications. In regards to Supervisor Dickinson's point that these entities were depending on the funds, she questioned how could they then go ahead and determine perhaps they did not warrant that amount of money upon review of their applications. She remarked she believed their applications would be above par, but there was no way for her to be know this for sure sitting here today approving this Resolution. She pointed out the changes were made only by a few people and they were a full Board who carried different

weighted votes which was why she felt more time should have been allotted.

Chairman Conover requested that the discussion be specific to the proposed amendment to Resolution No. 382 and he asked Mrs. Allen to read aloud. Mrs. Allen stated the amendment was to remove Schedule A from Proposed Resolution No. 382 and change it to indicate there was a total of \$198,000 to be given and those disbursements would be determined by the Occupancy Tax Coordination Committee based upon applications received.

Supervisor Dickinson informed the purpose of proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, was to list the entities the Committee was considering so they were aware. He said he set aside the amount of funding they had requested in previous years which meant if the proposed Resolution was adopted as originally presented there would be a listing of those who would be considered; however, he noted, this did not mean they would automatically be awarded the funding nor did it mean other applications for large events would not be considered.

Supervisor Leggett advised his interpretation of proposed Resolution No. 382 was that they were voting on whether to award the funds specified to the entities listed on Schedule A. Supervisor Dickinson interjected the funds would only be appropriated if the entities met the requirements. He said this meant if the Americade did not submit an application they would not be awarded the \$50,000. Supervisor Leggett remarked this meant “the cart was before the horse”.

Supervisor Brock recalled last year the Americade was awarded \$45,000 and the remaining \$5,000 was distributed to other entities to the displeasure of Supervisor Dickinson. He said he thought Supervisor Dickinson was setting the money aside to ensure this did not reoccur and as Supervisor Leggett indicated he was worried they were “putting the cart before the horse.”

Supervisor Dickinson stated in his absence last year, the Occupancy Tax Coordination Committee had decided to cut the funding to Americade from the \$50,000 they requested to \$45,000 even though the event generated \$30 million in revenue to the County. He said if Supervisor Brock could explain the logic in this decision he would concur with him. He stated it was fortunate that Supervisor Merlino stepped in and because a portion of the event took place in the Town of Lake Luzerne, he awarded them the \$5,000 from the Town’s allocation of occupancy tax funds to make up for the funding cut by the County. He mentioned if Supervisor Merlino had not done this he would have provided them with the funds through the Town of Lake George’s portion of occupancy tax funds.

Supervisor Brock informed he did not disagree with Supervisor Dickinson about the reduction to the Americade award, as he was not in favor of it. He said his point was that Supervisor Dickinson was proposing the changes to prevent this from reoccurring.

Supervisor Conover called the question and the aforementioned motion to amend proposed Resolution No. 382, *Authorizing Agreements with Certain Applicants for the Disbursement of 2018 Occupancy Tax Revenues*, failed due to a lack of majority vote, with 276 in favor (*Supervisors Braymer, Brock, Seeber, Beaty and Hyde*), 603 opposed (*Supervisors Girard, McDevitt, MacDonald, Frasier, Simpson, Dickinson, Merlino, Strough, Montesi, Sokol, Thomas, Geraghty, Leggett and Conover*), and 85 abstaining (*Supervisor Strough*) and 36 Absent (*Supervisor Vanselow*).

Chairman Conover called for a vote on resolutions, following which Resolution Nos. 377-426 were approved, as presented with the exception of Resolution No. 423 which was withdrawn.

Chairman Conover called for public comments from anyone wishing to address the Board on any matter, but no response was given.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Frasier and seconded by Supervisor Dickinson, Chairman Conover adjourned the Board Meeting at 12:07 p.m.