

**WARREN COUNTY BOARD OF SUPERVISORS  
BOARD MEETING  
FRIDAY, DECEMBER 21, 2007**

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. William Thomas presiding.

Salute to the flag was led by Supervisor Haskell.

Roll called, the following members present:

Supervisors Gabriels, Monroe, Girard, Sheehan, Mason, O'Connor, Kenny, Belden, Bentley, W. Thomas, Tessier, Merlino, Stec, Caimano, Champagne, VanNess, Sokol, F. Thomas, Haskell, and Geraghty - 20.

Motion was made by Mr. Bentley, seconded by Mr. Haskell and carried unanimously, to approve the minutes of the November 16, 2007 Board Meeting and the November 30, 2007 Special Board Meeting, subject to correction by the Clerk.

Chairman Thomas declared the Public Hearing on the proposed Local Law No. 13 of 2007, open at 10:01 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read the Notice of Public Hearing.

Chairman Thomas opened the floor for public comment.

Steve Johnson, of the City of Glens Falls, apprised he had read the proposed Local Law in the newspaper and questioned why a special law was needed when he believed a law was already on the books that prohibited minors from consuming alcohol or using illegal drugs. He added that he believed the County was wasting taxpayers time and money putting this law into effect.

Paul Dusek, County Attorney, explained that this law had originated as a result of a review between the County Attorney that handled delinquency petitions and the District Attorney's Office. He noted that it was studied and determined that a number of other communities had similar types of laws in place. He said the idea was to control parties in which minors obtained alcohol and they felt that the current laws were not as effective as this law would be in curbing the issue. He advised this law would give the District Attorney's Office, as well as other attorneys that enforced juvenile delinquency petitions, the tools needed to try and resolve these problems. Mr. Dusek concluded that there had been a number of instances where these parties had led to drinking and driving and young people had been killed; therefore, he said, the County felt compelled to create this law.

Mr. Johnson said he did not believe another regulation or ordinance would solve the problem. He added he thought it was more of an issue of enforcement and monitoring of what was going on.

Mr. VanNess advised that the Criminal Justice Committee had discussed this issue extensively and this law would give another avenue for the liability and responsibility to fall on the homeowners where the parties took place.

David Saffer, Executive Director of the Council for Prevention of Alcohol and Substance Abuse for Warren/Washington Counties, said he would like to speak in support of the social host law. He stated that every two years the Council for Prevention did surveys on substance and alcohol use by adolescence in Warren and Washington County schools. He noted through these surveys they had determined that substance abuse by area adolescents was very high; higher than both State and National numbers. He added that they had also learned that with the younger grades, the majority of alcohol was obtained in their homes, taken from their parents. Mr. Saffer concluded alcohol consumption by minors was a serious problem in Warren County. He said this law would make parents and homeowners aware and responsible for the behavior that occurred on their property. He also noted that approximately fifty communities in New York State had adopted this law, although he added, it was not being adopted on the State level, it was being done on a community by community basis.

There being no one further wishing to speak on the proposed Local Law No. 13 of 2007, Chairman Thomas closed the Public Hearing at 10:14 a.m.

Chairman Thomas declared the Public Hearing on the proposed Local Law No. 1 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.

Chairman Thomas requested Supervisor Belden to come forward. Mr. Belden presented a Certificate of Appreciation to Richard Stanton for thirty-five years of dedicated service to the Department of Public Works. Mr. Belden wished Mr. Stanton luck in his retirement. The board members responded with applause.

There being no one wishing to speak on the proposed Local Law No. 1 of 2008, Chairman Thomas declared the Public Hearing closed at 10:20 a.m.

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

Supervisor Geraghty, Insurance; Supervisor F. Thomas, Warren County Soil & Water Conservation District; Supervisor Caimano, Occupancy Tax Coordination; Supervisor Belden, DPW; Supervisor Mason, Health Services; Supervisor Monroe, Real Property Tax Services, Solid Waste & Recycling and Economic Development Corporation; and Supervisor Gabriels, Personnel/Human Resources.

With regard to the Insurance Committee, Mr. Geraghty advised the premiums for Property and Casualty Insurance had been lowered to \$75,425 for 2008.

Mr. F. Thomas stated that the Warren County Soil & Water Conservation District had held their annual Christmas luncheon which he had attended and he thanked Ed Milner for serving as the Chairman of the Board of Directors for the past three years, as well as Mr. Mason and Elly Benoit for serving as members of the Board of Directors.

Concerning the Occupancy Tax Coordination Committee, Mr. Caimano said that at the appropriate time in the meeting, he would be requesting to amend Resolution No. 804, regarding the contracts with various applicants for disbursement of 2007 Occupancy Tax

Revenue, to include funding for another applicant which had been inadvertently missed.

Regarding the DPW Committee, Mr. Belden advised that the main electrical switch for the Municipal Center building needed to be replaced. He asked William Lamy, DPW Superintendent, if that replacement had been completed. Mr. Lamy responded that it had been replaced and it was determined to be an emergency; therefore, he said, the RFP (Request for Proposal) process had been waived in order to get the switch replaced immediately. Mr. Belden also noted that a special DPW Committee meeting had been held to discuss the Corinth Road Reconstruction Project.

In relation to the Health Services Committee, Mr. Mason expounded the Committee was looking to resolve the issues regarding the servicing and purchasing of fleet vehicles.

Mr. Monroe apprised he had chaired the Real Property Tax Services Committee in the absence of Mr. Belden. He added that the discussions were focused on the Adirondack Community Housing Trust and the County Attorney was researching the possibility of the County entering into a partnership with the Trust. With regard to the Solid Waste & Recycling Committee, Mr. Monroe stated the Committee authorized the submission of a Smart Growth Grant application to assist with an updated Solid Waste Management Plan and an updated recycling program and also to review the end of term issues on the agreement with Wheelabrator. Concerning the Economic Development Corporation, Mr. Monroe said CBN Connect provided a presentation on broadband access in area counties and requested Warren County to join the project. He noted the Committee authorized a Smart Growth Grant application to perform a needs analysis for broadband and other telecommunication needs within the County.

In connection with the Personnel/Human Resources Committee, Mr. Gabriels advised the Committee approved the creation of positions in the Department of Social Services, which would not be filled until 2008.

Mr. Gabriels stated he would like to discuss the issue of State payment of taxes on State land and he referred to a case in Buffalo, New York which concerned the same. He expressed his concern with the serious impact such a ruling would have on all of Warren County. He noted that the County relied upon the payments that the State made on State-owned land and that message needed to be relayed to State representatives.

Chairman Thomas advised he had received a letter regarding this issue from Senator Little, in which she said she thought the County was somewhat protected. Mr. Monroe concurred with Chairman Thomas and noted he had received the same letter. He added that Senator Little had pointed out that the decision of that Buffalo case specifically referred to the forest preserve taxation. Mr. Monroe further stated he had requested Mike Swan, Director of Real Property Tax Services, to provide the amount of taxes that Warren County would lose if the decision resulted in the State stopping their payments of taxes and that amount would be approximately \$6 million.

Mr. Dusek said he was able to reach the attorney representing the Attorney General's Office that was handling the appeal and he advised that there was time because the decision itself was stayed, meaning there would be no immediate impact as far as the payment of taxes. He added that although it was a very important case, it was not urgent that it be handled right away because there was no negative impact at this point. He noted he would keep the Board of

Supervisors up to date over the next few months with regard to this.

Mr. Gabriels stated he had another issue he would like to address. He noted that he had emailed a copy of a resolution to the board members that had been passed by the Bolton Town Board concerning the concept known as rip-rapping an island in Lake George. He added there were private citizens that were trying to raise money to rip-rap an island, which was a State island and the State had been somewhat reluctant to grant permission and the various permits necessary to do such. He advised that the Town of Bolton was requesting the County's support with regard to maintenance of this particular State land. A copy of the resolution passed by the Bolton Town Board was distributed to the board members and a copy of same is on file with the minutes.

Motion was made by Mr. Haskell, seconded by Mr. F. Thomas and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk noted this would be Resolution No. 840 of 2007 for the record.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously supporting the resolution approved by the Bolton Town Board, requesting that the necessary permission be granted immediately to the private citizens of the State of New York to rip-rap Rush Island without the necessity of awaiting the long delayed preparation of a New York State Department of Environmental Conservation (NYSDEC) prepared Unit Management Plan for the Lake George Islands. Clerk stated this would be Resolution No. 841 of 2007 for the record.

Chairman Thomas asked Mr. Dusek if he had a resolution to be presented regarding the Gaslight Village property. Mr. Dusek explained he had hoped to have a proposed conservation easement for the board members to review, as well as a bond resolution; however, he said, he had been informed by a representative of one of the environmental groups that there was a number of issues with regard to the conservation easement and the Town of Lake George's review. He said that at this time the easement had not been finalized and therefore it was premature to bring forth a bond resolution. He added that the easement needed to be revised and agreed to by all involved parties in order to move forward with the project.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren and Washington Counties Children & Youth Subcommittee and Chemical Dependency Subcommittee;  
Warren & Washington Counties IDA (11/19/07, 12/11/07 & 12/17/07); Warren County Planning Board.

Monthly Reports from:

Weights & Measures;  
Veterinarian (Oct. & Nov.);  
Probation Department (Oct. & Nov.).

Town of Corinth, Proposed Local Law to Extend Moratorium on Siting and Establishment of Certain Waste Disposal Facilities;

Adirondack Park Local Government Review Board, Final Report of activities;

Glens Falls National Bank, Letter from Tom Hoy submitting his resignation from the Warren & Washington Counties IDA;

County Treasurer, List of Delinquent Taxes as of 11/13/07;

Warren County Board of Elections, Certified Copy of the Statement of Canvass;  
Capital District Regional Off Track Betting, November surcharge check in the amount of \$11,090 as well as Financial Reports for August 31, 2007 and September 30, 2007;

State of New York Department of Civil Service, 2008 Rates for the New York State Health Insurance Program (NYSHIP).

Communications, resolutions and reports ordered placed on file.

Chairman Thomas announced that the tax rolls were ready and that the Supervisors should pick them up at the Real Property Tax Services Department before they left today.

Chairman Thomas referred to Resolution No. 834, Examining the Possibility of Terminating Lease Agreement with New York State Department of Transportation and Sublease with HA-PE-DE, Inc. for the NYS -I87 Information Center Between Exits 17 and 18 and Authorizing Termination if Mutually Agreed at No Cost to the County, which was included in the Supervisors' packets. He said it may be time to cancel the lease and let the State take over responsibility for that rest area; thereby the County would not be required to provide improvements to it.

Mr. O'Connor questioned why the County would want to terminate the lease agreement and Chairman Thomas replied that the State was requesting the County pay half of the costs of improvements to the rest area. Mr. Tessier noted that unless the County received a solid commitment from the State that the Information Center and rest area would remain open, he did not think the County should do anything at this time. Mr. Belden suggested tabling the resolution for the time being.

Hal Payne, Commissioner of Administrative and Fiscal Services, informed the board members that up until the end of 2007, the County paid \$5,000 a year for the utilities for that building and those funds were not included in the 2008 Budget because Senator Little had advised that the utility bill would be turned over and absorbed by the State. Mr. Tessier said it needed to be in writing that the State would continue to maintain the Center with HA-PE-DE even if the County was no longer involved and the resolution before the board members today did not clearly define that.

Motion was made by Mr. Belden and seconded by Mr. Kenny to table Resolution No. 834 of 2007. Chairman Thomas noted this would be a weighted vote to table. The motion to table Resolution No. 834, Examining the Possibility of Terminating Lease Agreement with New York State Department of Transportation and Sublease with HA-PE-DE, Inc. for the NYS -I87 Information Center Between Exits 17 and 18 and Authorizing Termination if Mutually Agreed at No Cost to the County, passed by majority vote.

Mr. Caimano requested an amendment to Resolution No. 804, Authorizing Contracts with Various Applicants for the Disbursement of 2007 Occupancy Tax Revenues, to add funding in the amount of \$5,000 for the Lake George Winter Carnival, bringing the total amount of funding for special events to \$281,000.

Motion was made by Mr. Caimano, seconded by Mr. Bentley and carried by majority vote to amend Resolution No. 804 of 2007 as outlined above, with Mr. Haskell voting in opposition.

Mr. Monroe expounded that there had been discussions regarding reducing the number of Standing Committees after it was realized that Warren County had thirty-nine Standing Committees, whereas most other counties had a range of ten to fifteen Standing Committees. He added that a plan had been developed to reduce the number of Standing Committees to approximately twenty-two. He noted now was the time to implement such a change due to the fact that all Committee assignments would be made at the beginning of January. He queried whether or not a resolution could be adopted today implementing the consolidation of Committees. Joan Sady, Clerk, advised that such a resolution could not be presented until after the first of the year. Copies of the consolidated Standing Committees for 2008 were distributed to the board members, and a copy of same is on file with the minutes.

Mr. Girard requested roll call votes on Resolution No. 820, Authorizing Renewal Agreement with Lori A. Girard for Dietary Consultant Services for Countryside Adult Home and Resolution No. 826, Authorizing Agreement Continuing Contractual Relationship with Lori A. Girard for Dietician Services at Westmount Health Facility.

Chairman called for reading of resolutions and discussion.

Mrs. Sady advised that Resolution Nos. 758 through 831 were mailed and a motion was needed to bring Resolution Nos. 757 and 832, 833 and 835 through 839 to the floor. Motion was made by Mr. Belden, seconded by Mr. Sheehan and carried unanimously to bring Resolution Nos. 757 and 832, 833 and 835 through 838 to the floor.

Chairman Thomas called for a vote on the resolutions.

Resolution Nos. 757 through 841 were approved, with the exception of Resolution No. 834, Examining the Possibility of Terminating Lease Agreement with New York State Department of Transportation and Sublease with HA-PE-DE, Inc. for the NYS -187 Information Center Between Exits 17 and 18 and Authorizing Termination if Mutually Agreed at No Cost to the County, which was tabled.

Chairman Thomas announced that the Municipal Center would be closing at 1:00 p.m. on December 24, 2007 for Christmas Eve; however, he said, all Offices would remain open for regular business hours on December 31, 2007 New Year's Eve. He also announced that the Organization Meeting would be held on Thursday, January 3, 2008 at 10:30 a.m.

Chairman Thomas opened the floor for announcements. Mr. Caimano said he wanted to thank the people of the Town of Queensbury for affording him the privilege of representing their interests over the past years. He thanked Hal Payne and Joan Parsons who served before Mr.

Payne, as well as Joan Sady, JoAnn McKinstry and the administrative staff for all of their efforts and assistance that they provided him. He thanked all the board members and said it was a pleasure to sit among them. The board members responded with applause.

Mr. Mason echoed the sentiments of Mr. Caimano and thanked the board members for the opportunity to serve Warren County and the residents of the City of Glens Falls. He wished everyone a very Merry Christmas and a Happy New Year. The board members responded with applause.

Mr. Gabriels expressed his appreciation to the citizens of the Town of Bolton, as well as the Board of Supervisors and all of the employees of Warren County. He said it had truly been a tremendous pleasure working with each and every Supervisor. The board members responded with applause.

Many Supervisors offered their thanks and appreciation to Mr. Caimano, Mr. Mason, Mr. Gabriels and especially to Chairman Thomas for all that they had done over the years for Warren County.

Mr. Monroe requested Chairman Thomas to step forward before the board members. Mr. Monroe presented Chairman Thomas with a plaque honoring his outstanding leadership as Chairman of the Board of Supervisors. He added that Warren County will miss him very much and he wished him well in his retirement. The board members responded with applause. Chairman Thomas thanked everyone and said it had been a pleasure working with this Board of Supervisors.

Sheriff-elect Bud York said he wanted to recognize Sheriff Cleveland for his thirty-five years of public service in law enforcement. He noted that Sheriff Cleveland had been a great help in preparing him to assume the position of Sheriff and he thanked him for that. The board members responded with applause.

Mr. Kenny recognized the City of Glens Falls Mayor, LeRoy Akins, was at the meeting today and welcomed him. Mayor Akins announced that the City of Glens Falls would be celebrating the one hundred year birthday of the City on New Year's Eve and invited all to attend.

There being no further business, on motion by Mr. Mason and seconded by Mr. Gabriels, Chairman Thomas adjourned the meeting at 11:30 a.m.