

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, FEBRUARY 19, 2010**

The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. Frederick Monroe presiding.

Salute to the flag was led by Supervisor McDevitt.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Belden, Bentley, Goodspeed, McCoy, Merlino, Stec, Strainer, Champagne, Sokol, Thomas, Pitkin, and Geraghty - 19.

Absent: Supervisor VanNess - 1.

Motion was made by Mr. Belden, seconded by Mr. McDevitt and carried unanimously, to approve the minutes of the January 15, 2010 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Monroe announced that a number of representatives from NYMIR (New York Municipal Insurance Reciprocal) were at the meeting today to present a capital distribution check to Warren County and the Town of Johnsburg.

Kevin Crawford, Executive Director of NYMIR, stated that NYMIR had been in existence for sixteen years and had experienced a terrific year last year; therefore, he said, their Board had decided to return some of the surplus they had generated to their members. He noted that they had begun the process of returning surplus to their members last year and would be continuing to return over \$8 million during the next three years. He recalled that they came to Warren County last year and would come again next year and hoped to have continued success year after year. Mr. Crawford added that the loyalty and commitment of their members had led to their success and they were at the meeting today to thank Warren County and the Town of Johnsburg for their commitment to the program and continued participation. He also thanked Cool Insuring Agency for their support and participation, as well. Mr. Crawford presented Supervisor Goodspeed with a check for the Town of Johnsburg for approximately \$3,000. He then presented Chairman Monroe with a check for Warren County for approximately \$31,000. The board members responded with applause.

Chairman Monroe extended privilege of the floor to John Kearney, resident of the Town of Lake George, who had requested to address the board regarding the Gaslight Village property. Mr. Kearney opined that the main income source for Warren County was tourism, 30% to 35% of which was generated from Lake George. He stated his desire for the buildings to be retained on the Gaslight Village property and noted it was a business opportunity to bring in additional tourism.

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Chairman Monroe extended privilege of the floor to John Carr, resident of the Town of Lake George, who had requested to address the board regarding the Gaslight Village property. Mr. Carr said he had a background in construction and the restoration of old buildings, as well as a company that promoted events around North America. He noted that he also had first hand experience in establishing events in Lake George. Mr. Carr distributed a handout to the board members which was a brief outline of a business plan for the Gaslight Village property, a copy of which is on file with the minutes. He expressed his opinion that the buildings were important to the property and the community. He added his belief that the buildings located on the property were usable and that each building was unique and could serve different functions. Mr. Carr encouraged the board members to envision events being held on the property and to recognize the economic benefits to having buildings as opposed to parking lots. He concluded that the employees of the Town of Lake George had done a wonderful job on the property and had saved the taxpayers money by doing so and he thanked them for that.

Chairman Monroe recognized Daniel Coyle and Kenneth Carriero of Marcus & Millichap, a commercial real estate investment brokerage firm, who had requested to address the board concerning the possible privatization of the Countryside Adult Home. Mr. Coyle advised that they were currently representing other counties in New York State with this process, and noted that he believed all counties would start researching the possibility of privatizing county-owned adult homes in order to balance budgets in these difficult times. Mr. Carriero added that many counties were leaning towards liquidating their assets and he and Mr. Coyle were at the meeting today to help Warren County make that decision. Mr. Coyle said that the direct costs for running the facility, associated with the indirect costs, coupled with the decreases in Federal and State funding over the projected fiscal year of 2010 and 2011 had led to the thought that it no longer made sense for the County to continue to run the facility, given that the facility was already operating at a loss. He added that aside from the cost of the sale of the facility going into the County coffers, there was also another significant rateable on the property tax that could provide the County with a substantial amount of income.

Brenda Hayes, Director of Countryside Adult Home, questioned if this company was looking at privatizing both the Countryside Adult Home and Westmount Health Facility and Mr. Coyle replied that the first step they would take would be to complete an evaluation to determine the value of the facilities in today's market and the County would then decide if it would be worth marketing both facilities. Ms. Hayes apprised that the residents of Countryside Adult Home were subsidized by Federal and State monies and she questioned if that would continue if the facility were to be privately owned. Mr. Carriero responded that would remain in place and added that most of the institutional types that they would bring in would have their own Medicare and Medicaid provider numbers and would keep the residents in place.

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Chairman Monroe clarified for the members of the public that the Board of Supervisors was reviewing all possible options during this serious financial crisis and no decision had been made at this time. He reiterated that the idea was to explore all possible ways to reduce the size and cost of County government. Mr. Champagne added that Warren County was one of only five other counties throughout New York State that continued to operate this type of home. Chairman Monroe thanked Mr. Coyle and Mr. Carrierro for coming to the meeting.

Chairman Monroe extended privilege of the floor to Jan Strachan, resident of the Town of Lake George and business owner, who had requested to address the board regarding the Gaslight Village property. Ms. Strachan distributed a handout to the board members, a copy of which is on file with the minutes. She read the handout to the board which outlined her desire for the buildings to remain on the Gaslight Village property.

Chairman Monroe extended privilege of the floor to David Kenny, Warren County resident and business owner, who had requested to address the board regarding the Gaslight Village property. Mr. D. Kenny expounded that he had tried to develop a year-round economy and keep his employees busy. He expressed his opinion that the County needed more space for tourism to be developed and he saw no reason for the buildings located on the Gaslight Village property to be demolished. He suggested that the County research whether or not occupancy tax funds could be utilized for capital improvements or infrastructure, and if they could, he would support occupancy tax funds being utilized to renovate the existing buildings.

Luisa Craige-Sherman, representing the Lake George Regional Chamber of Commerce and the Convention and Visitor Bureau, stated that she recently provided copies of resolutions that were generated by the Chambers Board of Directors in July of 2007 and July of 2008 for the benefit of the new members of the Board of Supervisors. She noted that the members of the Chambers Board of Directors were elected by their membership and were charged with the mission of representing the entire membership, and the health and welfare of the entire business community and regions that were within their membership range, which included six counties. She said that the vision for the buildings on the Gaslight Village property, specifically the Calvacade of Cars Building, were viewed to be a great extra tool to sell and market to people to come to the area. Ms. Craige-Sherman asserted that many outlying counties had seen the benefit of having a publically owned space to market and bring in large events. She estimated that if nineteen to twenty-four functions were held in the Calvacade of Cars Building, \$40,000 a year could be generated from that alone and could have an economic impact of approximately \$840,000 to \$1.1 million into the local economy; thereby increasing the sales tax revenue, occupancy tax revenue and a higher tax valuation for the surrounding properties. She concluded that this would lessen the burden of local taxpayers.

Chairman Monroe extended privilege of the floor to George Green, resident of the Town of Lake George, who had requested to address the board regarding the Gaslight Village property. Mr. Green apprised that the Warren County Office for the Aging held an annual picnic and approximately 450 to 700 people attended. He stated that this year they would

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like to host the picnic at the Opera House on the Gaslight Village property because they had outgrown the Knights of Columbus in Queensbury where they had previously held the picnic. He added that the Opera House would be ideal for their event. He concluded that he was in support of retaining both buildings located on the property.

Mr. Merlino commended the business owners for coming to the meeting today and expressing their opinions regarding the buildings on the Gaslight Village property. He advised that he had discussed the possibility of utilizing occupancy tax funds for renovations with the County Attorney, as was previously mentioned and the County Attorney was researching the matter. He recommended that half of the 2011 Special Events Fund that was awarded to events be utilized for the Gaslight Village property and further proposed that the towns contribute 10% of the occupancy tax funds that they were awarded from the County in order to renovate the existing buildings. Mr. Merlino noted the increased need for events in the winter and opined that those buildings could be renovated for a purpose such as hosting winter events.

Mr. McCoy asserted that today the Board of Supervisors finally saw the business community of Lake George get energized. He referred to the amount of support that was shown at the meeting today to keep the two buildings on the Gaslight Village property and he agreed with all those that had spoken.

Skip Stranahan, We the People Foundation, announced his support for the retention of the buildings located on the Gaslight Village property, as well.

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

Supervisor Girard, Extension Service; Supervisor Geraghty, Budget; Supervisor Pitkin, Social Services; Supervisor Thomas, County Facilities and Personnel; Supervisor Sokol, Health Services; Supervisor Champagne, Community College; Supervisor Strainer, Human Services; Supervisor Stec, Finance; Supervisor Merlino, Tourism; Supervisor Goodspeed, Real Property Tax Services; Supervisor Belden, Public Works; and Supervisor Kenny, County Clerk-Motor Vehicles.

With regard to the Extension Service Committee, Mr. Girard stated that the Committee had not met; however, he said, Resolution No. 67 included in the packets authorized the lease agreement for the Extension Service building in the amount of \$30,000. He noted the irony given the budget reductions Extension Service had sustained and he expressed his feeling that the budget process was unfair to Cornell Cooperative Extension.

Concerning the Budget Committee, Mr. Geraghty advised that the meetings to commence the budget process for 2011 would begin next month. He reminded the board members that New York State was holding unclaimed funds and in order to determine what funds were being held, people should visit the website, www.osc.state.ny.us. He noted that

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there were 687 individuals in the Town of Warrensburg that were included on the list and over 1,000 people from the Town of Queensbury. Chairman Monroe added that the sales tax figures for January 2010 reflected a decrease of 3% from January of 2009. He recalled that last year the State had failed to make the property tax payments to the County on time, thereby leading to a cash flow crisis; however, he said, the payments for this year had been received.

In connection with the Social Services Committee, Mr. Pitkin reported that Resolution Nos. 96 through 107 included in the Supervisors packets were resultant of the meeting, most of which pertained to the reorganization of the department. He referred to an article in the local newspaper that termed the turnover in Social Services the 'mass exodus' and he countered that many of the resignations that were occurring in the Department of Social Services (DSS) were due to lateral transfers, and some were to pursue positions in other departments of the County. He apprised that Sheila Weaver, Commissioner of DSS, had informed the Committee that the State would be cutting funding to four programs included in the 2010 budget, totaling approximately \$250,000. He said the four programs to be cut by the State were the Summer Youth Employment Program, the SNAP Program, the Community Solutions for Transportation contract and the Non-Residential Domestic Violence Program. Mr. Pitkin noted that the Non-Residential Domestic Violence Program would still be mandated by the State and the funding for such would be the responsibility of the County. He noted that the Adult Protective and Domestic Violence Program which had been uncapped and received 100% State reimbursement would now be capped with only a 50% reimbursement. Based on that information, he continued, Resolution No. 71 was included in the packets which authorized the elimination of mandated Social Services programs in accordance with the elimination in State funding, unless the Department Head could determine other sources of funding for the programs within their departmental budgets.

Regarding the County Facilities Committee, Mr. Thomas provided an update on the Human Services Building. He asserted that the final figure for the project was \$16,138,796 and approximately \$100,000 was anticipated from NYSERDA (New York State Energy Research and Development Authority) for the commissioning of the equipment that was used in the building. He added that the Committee had decided to relocate the Fire Prevention & Building Code Enforcement Department and the Self-Insurance Department to the third floor of the new building. Mr. Thomas briefly mentioned a security issue that had arisen in the new building that was quickly resolved. He apprised that the RFP (Request for Proposal) for the demolition of the old DSS Building had been released and the bid opening would be February 24, 2010 and he anticipated a County Facilities Committee meeting to be scheduled for March 3, 2010 to review the bids received. He announced that the courts would be assuming the space previously occupied by the Planning & Community Development Department in the near future. He concluded there was a significant amount of used furniture from the old DSS Building that was being offered to Department Heads and to the towns, and he recommended that anyone interested contact Frank Morehouse, Superintendent of Buildings.

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Relative to the Personnel Committee, Mr. Thomas advised Resolution Nos. 85 through 108 included in the packets were generated from that meeting, the majority of which authorized the filling of vacant positions in various departments. He remarked that the vacant position of Commissioner of Administrative & Fiscal Services was discussed and the Committee authorized the authority of said position to be given to the Clerk of the Board and that was Resolution No. 154 in the packets. He added that the Committee also discussed the possibility of two new Unions being formed; however, he said, the Committee opposed the recognition of such and that was outlined in Resolution No. 153 in the packets.

Chairman Monroe congratulated everyone that had been involved with the Human Services Building and commended them for the project being completed under the estimated budget. He recognized Fred Austin for all the work he had done on the project, as well.

Concerning the Health Services Committee, Mr. Sokol stated that under the Westmount Health Facility portion of the meeting, the Committee approved the reclassification of the Assistant Director of Nursing to a position of Minimum Data Set Coordinator. Under the Countryside Adult Home portion of the meeting, he said, the Director of Countryside had resigned to assume the position of Director of Nursing at Westmount Health Facility; thereby leading to a process of filling the Director position at Countryside Adult Home.

Regarding the Community College Committee, Mr. Champagne advised that Dr. Ronald Heacock, President of Adirondack Community College (ACC), had reported that between 2009 and 2010 there would be a 15% reduction in State Aid, or approximately \$415 per student. He announced that there was a 10% increase in enrollment for this year. He stated that he had the donation forms for the Community Campaign for the Regional Higher Education Building with him today if anyone was interested in making a donation.

In connection with the Human Services Committee, Mr. Strainer announced that the Youth Bureau would become part of the realm of the Department of Social Services. He noted that the Director of Veterans' Services had requested additional help within the Office and the Committee was researching different options to assist that Department. He reported that the Director of the Office for the Aging had informed the Committee of her upcoming retirement and that position would be posted and the search for a replacement would commence. He added that the Committee had also determined that the Office for the Aging would remain its' own entity and would not become part of the Department of Social Services.

With regard to the Finance Committee, Mr. Stec pointed out three resolutions that were resultant of that meeting, Resolution Nos. 165, 166 and 167, all of which pertained to the issuance of serial bonds for the Department of Public Works and the Airport. He also referred to resolutions that were generated from the Legislative & Rules Committee, which were as follows: Resolution No. 123, Supporting the Governor's Budget Recommendation to

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Place a Moratorium on Adirondack Forest Preserve Acquisitions; Resolution No. 125, Requesting the United States Congress and the New York State Legislature to Address the Inequitable Assessment Upon Counties by the Hudson River Black River Regulating District; Resolution No. 155, Urging Legislators to Allow for Higher Fines for Distractive Driving Infractions and Urging an Inequitable Split for Those Fines to be Disbursed to the County and/or Town in Which the Infraction Occurs; Resolution No. 156, Exhorting Legislature to Review New York State Tax Law Determining Tax Exempt Status and Amend to Limit Use of this Benefit; and Resolution No. 158, Expressing Fervent and Steadfast Opposition to Holding the Trial of the Alleged September 11, 2001 Terrorists Anywhere within New York State and Urging the President of the United States and the United States Attorney General to Designate the Place of Trial Outside the State of New York. Mr. Stec apprised that there were twenty-two vacant positions that were requested to be filled, each of which required a 2/3 majority vote and questioned if the resolutions should be voted on separately. He recommended that in the future each position that was requested to be filled include information as to whether the position was mandated or received reimbursements. Chairman Monroe clarified that the resolutions authorizing the filling of vacant positions were Resolution Nos. 87 through 108 and suggested that one roll call vote for all twenty-two resolutions be held.

Mr. Kenny encouraged all Supervisors to attend the Personnel Committee meetings, and added that the last Personnel Committee meeting was held for three hours during which each of the positions requested to be filled were discussed at great length and explained in detail the necessity for each position included in the Supervisors packets.

Relative to the Tourism Committee, Mr. Merlino apprised that Resolution No. 81 included in the packets was resultant of the meeting and was in support of full funding in the 2010 Governor's Budget for the official I Love New York Gateway Information Center at Beekmantown. He commended Peter Girard, Creative Director, for the work he had completed on the Tourism website. He noted that the Committee had been informed that the Tourism Group Tour Promoter had been recognized in a leading industry connection magazine for the work she was doing for the Tourism Department.

Mr. Merlino referred to a parcel of property in the Town of Lake Luzerne that was sold through the County Land Auction in October of 2009, which included an old building in Town. He advised that the couple that bid for the property had purchased it 'sight unseen' and were no longer interested in pursuing the purchase of it. He said they went to the second bidder through Real Property Tax Services and the second bidder did not want the building either. He noted that he had spoken with the County Attorney about this issue, and instead of waiting until October to put the building back up for auction, the third bidder would like to purchase the building. He said that according to the regulations, the property could not be offered to the third bidder, only the first and second bidder, unless an amending resolution was adopted. Mr. Merlino explained that the third bidder was offering to pay \$15,000 for the property, which was equivalent to the taxes owed on the building. He concluded that he

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would like to refer this to the Real Property Tax Services Committee in order to prepare a resolution for next month's Board Meeting. The consensus of the board was that the matter be referred to the Real Property Tax Services Committee.

Concerning the Real Property Tax Services Committee, Mr. Goodspeed stated that the Committee discussed the impact of transition assessments of State properties and the negative impact that those could have, constituting a 2% reduction in the amount of the State's contribution each year. Following those discussions, he continued, the Committee approved Resolution No. 77 included in the packets, which was the cancelling or correcting of assessments and refunds of taxes. He explained that Resolution No. 79 in the packets authorized a refund to the highest bidder at the auction for a parcel located in the Town of Horicon, due to legal impediments to the conveyance.

Mr. Goodspeed referred to Resolution No. 158 as discussed by Mr. Stec, that pertained to the terror trials taking place in New York State. He opined that the resolution should be discussed in more detail for the benefit of the entire board. Chairman Monroe replied that the resolution was developed pursuant to a request for support from Orange County. Mr. Goodspeed countered that he understood that Orange County did not have the infrastructure to handle such trials; however, he said, the resolution concluded that Warren County would support the notion that the trials absolutely, unilaterally not occur anywhere in New York State. Mr. Pitkin interjected that he had received communications from the Town of Moriah in Essex County stating that they were interested in the terror trials being held there.

Motion was made by Mr. Goodspeed, seconded by Mr. Merlino and carried unanimously to waive the rules of the board requiring a resolution be in writing. (Please note: It was determined that a motion to waive the rules was not necessary, and that an amending motion would suffice.)

Motion was made by Mr. Goodspeed, seconded by Mr. Pitkin and carried by majority vote to amend Resolution No. 158 to not include a unilateral position on not having the trials in New York State, with Messrs. Thomas and Stec voting in opposition.

In connection with the Public Works Committee, Mr. Belden said under the Parks, Railroad & Recreation portion of the meeting, the Committee reviewed the proposal from the Upper Hudson River Railroad (UHRR) for the 2011 Railroad Operator Contract and had determined not to accept the proposal.

Mr. Belden referred to Resolution No. 141, Adopting a Policy for Mileage Reimbursement to Volunteers, and expressed his concern with the resolution. He added that he did not support a ten cent reduction in mileage reimbursement to people that volunteered their time to assist others. Mr. Belden requested a roll call vote on the aforementioned resolution.

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Mr. Bentley requested that Resolution No. 76 be tabled which appointed members to the Emergency Medical Services (EMS) Advisory Board because there were new appointees that would be added in the future.

Motion was made by Mr. Bentley, seconded by Mr. Geraghty and carried unanimously to table Resolution No. 76, Appointing Members of the Emergency Medical Services (EMS) Advisory Board.

Regarding the County Clerk-Motor Vehicles Committee, Mr. Kenny reported that the meeting consisted mainly of housekeeping issues. He pointed out that three vacant positions were approved to be filled as reflected in Resolution Nos. 87, 88 and 89 included in the packets. He noted that the County Clerks Office handled \$14 million worth of business during 2009. He added that it was necessary by law, that a strategic workflow involving multiple staff members was necessary for records that were processed from the Recording Clerk to the Senior Recording Clerk to the Records Manager and those positions needed to be maintained and filled.

Mr. Loeb requested roll call votes on the following: Resolution No. 119, Opposing Various Proposed Anti-Gun Owner Legislation in New York State; Resolution No. 160, Resolution Providing Conceptual Approval of Demolition Plans for the Gaslight Village Property; and Resolution No. 161, Resolution Approving Demolition of the Opera House on the Gaslight Village Property.

Mr. Taylor questioned the urgency for action on the Opera House building and Chairman Monroe replied there was urgency in that a decision needed to be reached prior to the end of May 2010 because approval of an RFP for the demolition of buildings was needed, with delete alternatives for the buildings to be included. Chairman Monroe remarked that the County wanted to avoid losing the opportunity to have the buildings removed utilizing grant funds, only to determine in the future to demolish the buildings which would become a taxpayer expense.

Peter Bauer, Executive Director of The Fund for Lake George, explained that there were two issues of importance relative to the planning for the property. One, he said, was approval of Phase 1 for construction. He further stated that Phase 1 included the south side of the property, which had the Charley's Saloon building on it and was where the stormwater treatment complex would be built to deal with the stormwater off of the Route 9 corridor and parts of the Town. He noted there was a construction schedule with the New York State Department of Transportation (NYS DOT), who was the lead agency on that part of the property. He asserted that under the terms of the Conservation Easement, approval of the construction plan was the authority of the 3M's (the three Municipalities, the County; the Town of Lake George; and the Village of Lake George). Mr. Bauer reported that in order to facilitate construction, the buildings needed to be removed and the 3E's (the three Environmental Groups) had secured a grant through the Environmental Protection Fund to take

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down the buildings. He added that the decision before the board members today was to approve the release of an RFP in two tiers, one being for demolition of everything on the property and the other part was that the 3M's would then determine what items would be exempt from that in order to adhere to the competitive bidding process. Mr. Bauer clarified that a decision for the future of the buildings was not being made today; however, he said, these actions would allow for the project to proceed, with a final decision to be made at a later date.

Chairman Monroe reiterated that Resolution No. 160 did not obligate any action, it would only authorize conceptual approval to commence the bidding process for demolition of all the buildings on the property with an alternative for the County to remove any building from the demolition plan.

Motion was made by Mr. Belden, seconded by Mr. Merlino and carried by majority vote to waive the rules of the board requiring a resolution be in writing, with Messrs. Geraghty, Stec and Kenny voting in opposition. Clerk stated it would be Resolution No. 169 of 2010 for the record.

Motion was made by Mr. Belden and seconded by Mr. Merlino to retain both buildings on the Gaslight Village property. Chairman Monroe suggested that it be a roll call vote.

William Lamy, DPW Superintendent, apprised that there were engineering problems with the Opera House building, as well as safety problems, construction technique problems and code issue problems. He added that when a building had been altered structurally and before a Certificate of Occupancy could be issued, a licensed Engineer had to stamp a set of plans approving the changes that were made and submit those plans to the Code Enforcement Office in order to obtain a C.O. He concluded that a set of plans for the Opera House building did not exist. Mr. McCoy countered that the plans did exist. Mr. Lamy said he had not seen a set of plans that he could affix his stamp to and be comfortable with. As a licensed Engineer, Mr. Lamy stated there was a significant amount of work that was needed on that building, which would cost a great amount of money, before he or a member of his staff could be comfortable stamping a set of plans for it. He added that if a set of plans did exist, ethically and legally, he could not stamp them because they were not commissioned by the County. He reiterated the findings of reports completed by various individuals and companies relative to the Opera House building, the work that would be necessary to make the building structurally sound and the estimated costs associated with such work.

Following the roll call vote on the motion to retain both buildings, the motion passed by majority vote, with Messrs. Taylor, Kenny, Stec, Thomas, Pitkin, Geraghty and Chairman Monroe voting in opposition. Clerk noted it would be Resolution No. 170 of 2010 for the record.

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Chairman Monroe advised that due to the outcome of the previous resolution, Resolution No. 161 included in the packets, which approved the demolition of the Opera House would be negated. It was the consensus of the board that Resolution No. 161 be a roll call vote. Following the roll call vote, Resolution No. 161, Resolution Approving the Demolition of the Opera House on the Gaslight Village Property, failed.

Chairman Monroe called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren/Washington Counties Industrial Development Agency and Audit Committee;
Warren County Planning Board.

Monthly Reports from:

Weights & Measures;
Probation;
Veterinarian.

Annual Reports from:

Warren County Planning Board;
County Treasurer, 2009 Annual Dog Licensing Report;
Warren County SPCA.

Capital District Regional Off-Track Betting Corporation, December 2009 and January 2010 Surcharge in the amount of \$6,607 and \$7,795, respectively; October 31 and November 30 Financial Reports.

Warren/Washington Counties Industrial Development Agency, Revised 2010 Budget.

Warren County Soil & Water Conservation District, letter requesting that Warren County allow Soil and Water to accept the OTB Scholarship funding for the Warren County Envirothon.

New York State Department Of Civil Service, Third Quarter Empire Plan Experience Report for 2009.

Comlinks, letter thanking Warren County for the renewal of their request for funding to emergency food relief organizations.

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Paul Dusek, County Attorney, amending his previous letter regarding the designation of Assistant County Attorneys in the event of his vacancy, absence or inability, as follows: Amy C. Bartlett, First Assistant County Attorney, Patricia C. Nenninger, Second Assistant County Attorney and withdrawing the designation of H. Bartlett McGee, Jr. as Third Assistant County Attorney.

Communications, resolutions and reports ordered placed on file.

Chairman Monroe called for reading of resolutions and discussion.

Mr. Thomas requested roll call votes on Resolution No. 77, Cancelling or Correcting of Assessments and Refunds of Taxes; and Resolution No. 121, Requesting Our Federal Legislators Attempt to Include Warren County in the Northern Border Commission in Order to Receive the Associated Benefits.

Chairman Monroe explained that the Northern Border Commission had been developed to review the northern forest to make determinations as to how improvements could be made to the economy and environment. He further stated that when the Federal Farm Bill was released, all counties in New York State that were not along the Canadian border were excluded and \$30 million had been appropriated to help the economy of that region and Warren County was excluded.

Pursuant to an inquiry from Mr. Goodspeed, Mr. Loeb discussed the details of Resolution No. 119 that opposed various proposed anti-gun owner legislation in New York State.

Mr. Sokol referred to Resolution No. 70, Amending Resolution No. 856 of 2009; Decreasing the Patient Fund at Countryside Adult Home, and requested additional information because he was unaware of such a resolution that countered what had been approved previously. Joan Sady, Clerk of the Board, explained that the Department of Social Services (DSS) administered the Countryside Adult Home budget and the DSS Fiscal Manager had concerns with that amount of cash being at the facility. Mr. Strainer added that he was under the impression that the matter had been discussed between the two Departments prior to the request being presented, which was not the case. Mr. Pitkin recommended that the resolution be tabled and returned to the Social Services Committee for further discussions.

Motion was made by Mr. Pitkin, seconded by Mr. McDevitt and carried unanimously to table Resolution No. 70 as outlined above.

Chairman Monroe pointed out that no bids were received on the County-owned parcels located across the street from the Municipal Center and two bids were received for the County Fairground property, one in the amount of \$10,000 and the other in the amount of

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\$61,500 and he questioned the desire of the board to either accept or reject the aforementioned bids received. He suggested that both bids be rejected.

Motion was made by Mr. Girard, seconded by Mr. Stec and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk noted it would be Resolution No. 171 of 2010 for the record.

Motion was made by Mr. Girard, seconded by Mr. Stec and carried unanimously to reject the two bids received for the County Fairground property. Clerk added it would be Resolution No. 172 of 2010 for the record.

Chairman Monroe requested a roll call vote on Resolution No. 144, Authorizing an Agreement with Adirondack Park Local Government Review Board for Funding of Operating Costs.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 64 through 140 were mailed. She stated that Resolution No. 134 had been withdrawn to go back to the Committee. She said that Resolution Nos. 70 and 76 had been tabled. She added that the resolutions relating to the filling of vacant positions were Resolution Nos. 87 and 108. She noted that unless a roll call vote was requested on particular resolution, these resolutions would be approved in the collective vote.

Mrs. Sady announced a motion was needed to bring Resolution Nos. 63 and 141 through 168 to the floor. Motion was made by Mr. Geraghty, seconded by Mr. Girard and carried unanimously to bring Resolution Nos. 63 and 141 through 168 to the floor.

Chairman Monroe referred to the request concerning the filling of vacant positions which were Resolution Nos. 87 through 108. He recommended that Resolution Nos. 87 through 108 be done as one roll call vote.

Mr. Geraghty reiterated the request that in the future, resolutions pertaining to the filling of vacant positions include information as to whether the position is mandated, if there were reimbursements associated with the position and the net budget impact it would have. Clerk acknowledged the request.

Mr. McDevitt requested to make a public statement for the record. He said that on February 8th some members of the Warren County Board of Supervisors held a closed door caucus to discuss the vacant County Administrator (Commissioner of Administrative & Fiscal Services) position. He stated that as an elected member of the Warren County Board of Supervisors representing Ward 2 in the City of Glens Falls, he wanted to strongly object to his exclusion for discussion regarding appointing a new County Administrator (Commissioner of Administrative & Fiscal Services). He added that he was not the only one that was

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excluded from this discussion. He noted that twenty-one hundred ninety two registered voters in Ward 2, the Ward that he represents, were also excluded and in effect disenfranchised by this action. He listed the number of registered voters for Ward 1 in the City of Glens Falls, Ward 4 in the City of Glens Falls, Ward 5 in the City of Glens Falls, the Town of Queensbury and the Town of Thurman that were also disenfranchised, totaling 24,546 voters in Warren County that were ignored. Mr. McDevitt recognized that this was not the first time that this had occurred. He concluded that he was honored to be a member of the Board of Supervisors; however, he said, he would like to be included in important decision making matters in the County.

Chairman Monroe countered that no decision had been made relative to the position of the Commissioner of Administrative & Fiscal Services and the matter would be discussed during the Committee meeting process and before the full Board of Supervisors, at which time all members would have an opportunity to participate. He reported that the County Attorney provided a clear opinion that any individual party could hold a caucus to determine a position on a matter, and those positions or opinions could change between the time of the caucus and the vote. Chairman Monroe expounded that caucuses were an important part of the political process.

Trish Nenninger, Second Assistant County Attorney, advised that an executive session was needed to discuss pharmaceutical litigation. Motion was made by Mr. Geraghty, seconded Mr. Thomas and carried unanimously that executive session be declared pursuant to Section 105 (d) of the Public Officers Law.

Executive session was declared from 1:15 p.m. to 1:23 p.m.

The board reconvened and Chairman Monroe announced no action was necessary pursuant to the executive session.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 63 through 172 were approved, with the exception of Resolution No. 70, Amending Resolution No. 856 of 2009; Decreasing the Patient Fund at Countryside Adult Home; and Resolution No. 76, Appointing Members of the Emergency Medical Services (EMS) Advisory Board, which were tabled. Resolution No. 141, Adopting a Policy for Mileage Reimbursement to Volunteers; and Resolution No. 161, Resolution Approving Demolition of the Opera House on the Gaslight Village Property, both failed. Certificate of Appointment - Warren County Youth Board was submitted.

There being no further business, on motion by Mr. Strainer and seconded by Mr. Stec, Chairman Monroe adjourned the meeting at 1:25 p.m.