

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JULY 16, 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 10:12 a.m.

Mr. Frederick Monroe presiding.

Salute to the flag was led by Supervisor Goodspeed.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Belden, Bentley, Goodspeed, McCoy, Merlino, Stec, Strainer, Champagne, VanNess, Sokol, Thomas, Pitkin, and Geraghty - 20.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried unanimously, to approve the minutes of the June 18, 2010 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Monroe declared the Public Hearing on proposed Local Law No. 4 of 2010, open at 10:13 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read the Notice of Public Hearing.

There being no one wishing to speak on the proposed Local Law No. 4 of 2010, Chairman Monroe declared the Public Hearing closed at 10:15 a.m.

Chairman Monroe requested Supervisor Belden to come forward to recognize William Lamy, DPW Superintendent. Mr. Belden presented Mr. Lamy with a Certificate of Appreciation in recognition of fourteen years of dedicated service to the Department of Public Works (DPW). Mr. Belden thanked Mr. Lamy on behalf of the Town of Hague for his work on the Town's sewer projects, as well as Warren County, for the outstanding job he had done over the years with the Department and wished him well in his retirement. The board members responded with applause.

Mr. Lamy stated that he had been humbled by the confidence and trust that the Board of Supervisors had placed in him as Superintendent of the Department of Public Works. He noted it had been an educational and rewarding experience. He praised the employees of Warren County and added that he had thoroughly enjoyed the relationships and friends that he had made while employed by the County. Mr. Lamy apprised that the most important asset in the DPW was the staff and he could not have succeeded as Superintendent without them. The board members responded again with applause.

Chairman Monroe acknowledged Assemblywoman Sayward and Sheriff York were present to recognize Brant Lake Taxi for their service to the community. Assemblywoman

Sayward said there was nothing more difficult to provide to people in the rural areas than good transportation and added it was always best when it could be provided through private business, which was what Brant Lake Taxi was doing. She expounded that not only were the owners of Brant Lake Taxi entrepreneurs, providing a service that had helped reduce the cost of County government, they had also provided free services during times of need. Assemblywoman Sayward presented a citation to the owners of Brant Lake Taxi. The board members responded with applause.

Sheriff York presented a Certificate of Appreciation to the owners of Brant Lake Taxi on behalf of the Warren County Sheriff's Office for the valuable service provided to the communities in northern Warren and southern Essex Counties over the past two years. The board members responded with applause.

Sheriff York wished Mr. Lamy well in his retirement and noted it was well earned.

Chairman Monroe provided a report on the HUD Sustainable Regional Planning Grant. He referred to Resolution No. 472 included in the packets that was generated from the Finance Committee which would authorize the progression of the regional application under the HUD Program and he added there was substantial funding available. He further explained that there was a plan to apply for a multi-county grant to develop an economic development plan for the Adirondack region which had evolved to include Warren and Washington Counties, along with Essex, Hamilton, Clinton, Franklin, St. Lawrence and Herkimer Counties. He requested the support of the board on that resolution.

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

Supervisor Belden, Public Works; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Taylor, Planning & Community Development and Support Services; Supervisor Girard, Extension Services; Supervisor Geraghty, Budget; Supervisor Thomas, County Facilities and Personnel; Supervisor Sokol, Health Services; Supervisor VanNess, Public Safety; Supervisor Champagne, Intercounty Solid Waste; Supervisor Strainer, Human Services; Supervisor Stec, Finance; Supervisor Merlino, Tourism; and Supervisor Goodspeed, Real Property Tax Services.

With regard to the Public Works Committee, Mr. Belden advised that under the Airport portion of the meeting, the Committee authorized the closing of six Capital and Capital Reserve Projects that had been completed. DPW, he said, consisted mainly of housekeeping matters. He stated that discussions were held during the Parks, Recreation & Railroad portion of the meeting relative to safety issues and concerns. He thanked the Supervisors that attended the Committee meeting at Up Yonda Farm.

In connection with the Occupancy Tax Coordination Committee, Mr. Kenny apprised that the Treasurer's report had indicated that, thus far this year, occupancy tax collections

had increased by 9%. He reported that the Great Escape Holiday in the Park had cancelled the event for 2010 and returned the funding to the Special Events Fund, which increased the total remaining funds to \$32,971. He noted the Committee entertained additional applications and approved awarding \$20,000 to the Adirondack Balloon Festival; an additional \$10,000 to the Last of the Mohicans; and \$1,000 to the Lake George Charitable Fund for a Peak Season Century Ride; thereby leaving a balance of \$1,971 in the Special Events Fund. He added that those actions were reflected in Resolution No. 459 in the packets.

Mr. Loeb said that he had visited the new Lake Luzerne Town Hall and commented that it was a beautiful building.

Mr. Taylor announced that today was Supervisor Pitkins' last Board Meeting and stated that the contribution that he had made in his short time with the Board of Supervisors had been significant and he thanked Supervisor Pitkin. Concerning the Planning & Community Development Committee, he apprised Resolution No. 464 included in the packets authorized the submission of a grant application to the New York State Housing Trust Fund Corporation under the 2010 Community Planning Program for an amount not to exceed \$40,000. He explained that the intent of the grant was to provide communities with funding to complete projects that required a detailed level of reporting and there was a 20% local match associated with the grant which would be the responsibility of the participating communities. Mr. Taylor added that Resolution No. 463 in the packets would amend Resolution No. 695 of 2008 and ratify the actions of the Chairman of the Board in executing an amendment agreement with the New York State Department of Environmental Conservation for the 400th Explore New York Reimbursable Grant. He noted there was still a vacancy on the Planning Board to be filled by a representative from the Town of Warrensburg.

Regarding the Support Services Committee, Mr. Taylor stated the Committee approved a request to create a part-time position of Audit Clerk and to delete the positions of Principal Account Clerk and Deputy County Auditor; thereby providing an annual savings of \$17,600. He remarked that the Committee accepted the proposal received from Capital Financial Group for Health Insurance Broker Services, and the terms of the agreement were outlined in Resolution No. 473 included in the packets. Mr. Taylor apprised discussions were held relative to mailing services and the consensus of the Committee was that an RFP (Request for Proposal) be developed for such and would include pre-sorting procedures that would lower the cost to the County.

Pertaining to Extension Services, Mr. Girard reported that Cornell Cooperative Extension (CCE) continued to try to consolidate services while maintaining operations and was currently sharing staff with Washington County. He announced that CCE was hosting a golf tournament fundraiser on August 20, 2010 and requested if anyone was interested in participating or sponsoring a team to contact him and he would provide the necessary applications.

With regard to the Budget Committee, Mr. Geraghty remarked that budget packages would be sent out to Department Heads next week and noted that the County was still in uncertain territory due to the lack of an adopted State Budget.

Relative to the County Facilities Committee, Mr. Thomas said the purpose of the meeting was to discuss developments with the demolition of the former Department of Social Services (DSS) Building and to provide direction to the Engineers and Construction Managers as to how to proceed with the removal of debris from the site.

Concerning the Personnel Committee, Mr. Thomas reviewed Resolution Nos. 483 through 497 which were generated from the meeting and authorized the filling of vacant positions in various departments.

Mr. Sokol took a moment to congratulate Mr. Lamy on his upcoming retirement and wished him well. In connection with the Health Services Committee, he advised that Public Health had been awarded a \$60,000 grant which was divided between Emergency Medical Services, the Office of Emergency Services and the Sheriff's Office to purchase equipment and upgrade radio services. Under the Westmount Health Facility portion of the meeting, he continued, the Committee reviewed the Annual Report provided by McCarthy & Conlon. He said Resolution No. 469 included in the packets opposed the shift of funding to proprietary nursing facilities, regarding methodology of calculating Medicaid funding.

Mr. VanNess congratulated Mr. Lamy and thanked him for his dedication to the County. He also wished Supervisor Pitkin well in his future endeavors. Regarding the Public Safety Committee, he reported that the Office of Emergency Services (OES) had applied for a Presidential Declaration grant for an amount of approximately \$400,000 for reimbursements to towns affected by a storm on March 23, 2010. He requested Brian LaFlure, Fire Coordinator/Director of OES, explain the terms of this grant further. Mr. LaFlure stated he had received notification from the Director of SEMO (State Emergency Management Office) advising that Warren County had been included in the Presidential Declaration that had been submitted in conjunction with Otsego and Schoharie Counties. He added that the purpose of the grant money was to provide reimbursement funds to the towns to pay bills resultant of the aforementioned storm. He noted the most important thing to remember was that when an event occurred, documentation of any damage was necessary in order to submit applications for reimbursement.

Relative to the Intercounty Solid Waste Committee, Mr. Champagne apprised there continued to be a decline of solid waste in Warren and Washington Counties which could affect the future sale of the Wheelabrator Burn Plant. He added that with the departure of Supervisor Pitkin there would be a vacancy on that Committee that would need to be filled.

With regard to the Human Services Committee, Mr. Strainer expounded Resolution No. 492 was generated from the meeting and would establish a salary range for the Employment

& Training Administration Director position and a search for qualified candidates. He remarked that Resolution No. 457 included in the packets authorized the renewal of the agreement with Washington-Saratoga-Warren-Hamilton-Essex Board of Cooperative Educational Services (BOCES) to provide GED/Basic Skills Educational Services for the WIA (Workforce Investment Agency) Youth Employment Program. Under the Veterans' Services portion of the meeting, he continued, the Committee authorized a temporary part-time position to cover the Office while the Director was attending mandatory Army National Guard Training. Mr. Strainer congratulated Mr. Lamy on his retirement and he thanked Supervisor Pitkin for his contribution to the Board of Supervisors.

In connection with the Finance Committee, Mr. Stec advised several resolutions were resultant of the meeting and he listed them as follows: Resolution No. 470, Authorizing County Treasurer to Close Certain Capital Projects and Capital Reserve Projects; Resolution No. 471, Renewing Agreements with Town of Bolton and Town of Hague Relative to Fuel System Location; Resolution No. 472, Authorizing Participation in the United States Department of Housing and Urban Development's Sustainable Communities Regional Planning Grant Program; Resolution Nos. 498 and 499 which both amended the Warren County Budget for 2010 for various Departments within Warren County; Resolution No. 501, Introducing Proposed Local Law No. 5 of 2010 and Authorizing Public Hearing Thereon; and Resolution No. 502, Authorizing Opinion Regarding Summit Name to the United States Board of Geographic Names. He noted that per the report received from the County Treasurer, Warren County's sales tax was down for the first two quarters compared to last year; however, he said, historically the last two quarters of the year tended to reflect the largest increases in sales tax of the year.

Mr. Merlino thanked Mr. Lamy for his service and noted he would be missed. Concerning the Tourism Committee, Mr. Merlino stated Resolution No. 458 included in the packets authorized an agreement with Catamount Color for the printing of the 2010 Fall Brochure. He added that the Department was in the process of updating the 2011 Travel Guide.

Mr. McCoy wished Mr. Lamy a happy retirement and commented on the great level of professionalism that he exuded. He added it had been a pleasure working with Supervisor Pitkin, as well.

Regarding the Real Property Tax Services Committee, Mr. Goodspeed apprised that lengthy discussions were held relative to properties that were on the tax rolls and exposed to potential contamination, the owners were not paying taxes and the County did not pursue foreclosure due to liability issues. He reported that following research performed by Mike Swan, Director of Real Property Tax Services, there was a section of the Real Property Tax Law, Section 1138, that would authorize the County to declare those properties as tax exempt. Mr. Goodspeed added it could offer a projected County savings of approximately

\$18,000 a year. He concluded that the Committee would continue to discuss the matter and report back to the board in the future.

Mr. Goodspeed referred to the past months Public Works Committee meeting in which issues concerning safety on the railroad were discussed. He expressed concern that the comments made at that meeting were made by a former employer and potential competitor of the current operator. He further advised the board that the Town of Johnsbury was interested in relieving the County of the responsibility associated with the Kellogg property and would accept title to the property from OSI (Open Space Institute); a resolution authorizing such would be forthcoming next month. Mr. Goodspeed congratulated Mr. Lamy on his retirement and shared the history he had with the Lamy family. He said that over the years, he had worked with nearly the entire family, including Mr. Lamy's brother Fred. He recalled that in 1983 Rose Lamy, Mr. Lamy's sister-in-law, processed his application to work at the County rock crusher. He also thanked Supervisor Pitkin for the substantial benefits he brought to the Board of Supervisors.

Mr. Bentley congratulated Mr. Lamy and said he would miss him.

Chairman Monroe called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren/Washington Counties IDA;
Warren County Planning Board.

Monthly Reports from:

Probation;
Weights & Measures.

Annual Report from:

Westmount Health Facility.

Capital District Off-Track Betting, May surcharge in the amount of \$11,545;

Caldwell-Lake George Library, letter thanking Warren County for its support of library services;

New York State Department Of Civil Service, First Quarter 2010 Empire Plan Experience Report;

Town of Bolton and Town of Lake George, Resolutions Requesting Warren County

Reinstitute Collection and Disposal of Household Hazardous Waste;

Clerk read into the record a letter from Supervisor Pitkin tendering his resignation as Chairman of the Social Services Committee effective July 16, 2010.

Chairman Monroe announced that Supervisor Thomas would serve as Chairman of the Social Services Committee for the remainder of the year.

Communications, resolutions and reports ordered placed on file.

Chairman Monroe requested discussion regarding the appointment of a Citizens Advisory Ad Hoc Committee to oversee activities relating to the County's Bicentennial in 2013. Pam Vogel, County Clerk, asserted that she would be involved in the meetings and offered to act as the liaison for the Ad Hoc Committee and the Board of Supervisors. Pam Morin, Event Technical Assistance Provider, summarized the necessary phases of planning involved in the process for the Bicentennial. Chairman Monroe requested Supervisors contact the Clerk of the Board if they had recommendations for individuals to serve on the Citizens Advisory Ad Hoc Committee.

Chairman Monroe expounded the next item of business was for the County Administrator to report on the following matters:

- 1-Offer of donation of office trailer;
- 2-Changes in local law for Director of Finance position; and
- 3-Report on Hudson River-Black River assessment challenge.

Paul Dusek, County Administrator/Attorney, began by announcing that a suspended ceiling unit on the first floor of the Human Services Building had fallen this morning. He added that fortunately the Engineer and Construction Manager were on site today and were in the process of evaluating the incident. He noted one employee was injured and had been brought to the hospital. He said that while the review of the incident was going on, the building had been closed to the public as a precaution.

Mr. Dusek apprised that his first report was on the offer of a donation of an office trailer. He recalled that the thought had been that the office trailer could be utilized to house homeless persons and/or sex offenders. Following an inspection report of the trailer, he continued, it was determined to be a manufactured construction trailer with modifications, which he listed. He asserted there was nothing present that showed it to be a single family dwelling and no HUD seal was found, nor was there a data plate on the structure, including year of manufacturer or manufacturer serial number. Mr. Dusek expounded that without that information, the County would be required to have an Engineer certify the structure for any use. He added that the structure would need to be rehabilitated in order to be in full compliance with building codes, leading to significant costs. He recommended that the

County not pursue the offer any further. Mr. Taylor confirmed that he had notified DA Collins that the County was not interested in their offer.

Mr. Dusek stated that the next item to report on concerned changes in the local law for the Director of Finance position. He advised he had made the changes as requested by the Finance Committee and the final draft of the proposed local law was included in the Supervisors' packets. He reviewed the changes again for the benefit of the board members. He noted he had changed the effective date to December 31, 2011 because he needed to have the Department effective and operational at the time that the Treasurer would be exiting.

Mr. Dusek said the last item was to report on the Hudson River-Black River assessment challenge. He explained that the funding to pay the Attorney involved in the challenge had not been specified in the authorized resolution; he noted that there were sufficient funds in the Board of Supervisors Legal/Transcript Fees Code A.1010 440 and he suggested that the original resolution be amended to identify the source of funding.

Motion was made by Mr. Stec, seconded by Mr. VanNess and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk added it would be resolution No. 503 of 2010 for the record.

Motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to amend Resolution No. 236 of 2010, to identify the source of funding for payment of legal fees associated with the Hudson River-Black River assessment challenge to be from the Board of Supervisors Legal/Transcript Fees Code A.1010 440. Clerk noted it would be Resolution No. 504 of 2010 for the record.

Mr. Dusek announced he had one other item to report on that was not included on the Agenda, which was the issue of the Retirement Incentive Program. He informed that he had been reviewing the program to determine if there was any advantage, economically, to the County to use this program. He summarized the two components of the program, the 25/55 Program which allowed an individual with twenty-five years of service and at least fifty-five years of age to retire without penalty; this scenario would be costly for the County and financially did not make sense for Warren County to pursue. The other component, he continued, was the targeted 10/50 Program which allowed for anyone with at least ten years of service and over fifty years of age to retire; the problem with this program, he said, was that the County could not determine any positions that could be targeted under this option without penalizing an employee that was close to retirement. He concluded today was the deadline for these programs and he had determined that neither program was appropriate for Warren County to pursue.

Chairman Monroe called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 454 through 497 were mailed. She noted the resolutions relating to the filling of vacant positions were Resolution Nos. 484 through 491 and 497, and unless a roll call vote was requested on a particular resolution, all would be approved in the collective vote.

Mrs. Sady announced a motion was needed to bring Resolution Nos. 453 and 498 through 502 to the floor. Motion was made by Mr. VanNess, seconded by Mr. Sokol and carried unanimously to bring Resolution Nos. 453 and 498 through 502 to the floor.

Mr. Kenny requested a roll call vote on Resolution No. 479, Authorizing Agreement with Northeast Rail Car Association, Inc. and/or Upper Hudson River Railroad, Inc. for Motorcar Excursion on Warren County Railroad.

Mr. Thomas requested a roll call vote on Resolution No. 501, Introducing Proposed Local Law No. 5 of 2010 and Authorizing Public Hearing Thereon.

Chairman Monroe called for a vote on the resolutions.

Resolution Nos. 453 through 504 were approved. Proclamation-Lake George Association Month, was submitted.

There being no further business, on motion by Mr. McCoy and seconded by Mr. Loeb, Chairman Monroe adjourned the meeting at 11:45 a.m.