

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, NOVEMBER 18, 2011**

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. Daniel G. Stec presiding.

Salute to the flag was led by Supervisor Merlino.

Roll called, the following members present:

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

Absent: Supervisor Bentley - 1.

Motion was made by Mr. Belden, seconded by Mr. Girard and carried unanimously, to approve the minutes of the October 21, 2011 Board Meeting and the November 9, 2011 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Stec declared the Public Hearing on the Warren County Sewer District (Industrial Park) Assessment Roll for 2012 open at 10:05 a.m. and requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing on the Warren County Sewer District (Industrial Park) Assessment Roll for 2012.

There being no one wishing to speak on the Warren County Sewer District (Industrial Park) Assessment Roll for 2012, Chairman Stec declared the Public Hearing closed at 10:07 a.m.

Chairman Stec declared the Public Hearing on the 2012 Tentative Warren County Budget open at 10:08 a.m. and requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing on the 2012 Tentative Warren County Budget.

Concerning the 2012 Tentative Budget, Chairman Stec referenced the power point presentation that was provided last week by the Budget Officer and mentioned that the 2012 appropriations were slightly decreased from 2011 and also included an increase in the tax levy of 1.7%, which was compliant with the State's new Tax Cap Law. He added that this budget did not appropriate any Fund Balance.

Privilege of the floor was extended to George Weinschenk, resident of the Town of Bolton. Mr. Weinschenk expressed his concern with government these days, noting that everything was done under duress. He stated that his taxes had increased, while local services had decreased and he viewed that as a problem. He outlined specific questions he had relative to the Tentative Budget, and said questions were answered and explained by Paul Dusek, County Administrator. In conclusion, Mr. Weinschenk opined that the new Human Services Building had reoccurring issues due to a lack of engineering and he suggested that the Supervisors review the issues more closely.

Privilege of the floor was extended to Linda Lewis, Manager of the Chestertown Meal Site. Ms. Lewis expounded that she did not believe the new proposal for meal sites would work and she requested the board members to reconsider making any changes to the meal sites. She noted a concern with the lack of manpower at the sites for customer service purposes if a reduction in staff was implemented as proposed. Ms. Lewis affirmed that employees at the meal sites did not receive health benefits.

Privilege of the floor was extended to Zandy Gabriels, resident of the Town of Bolton. Mr. Gabriels announced his satisfaction with the 1.7% increase on the County tax levy and acknowledged the amount of work that went into the budget process. He also commended the County for making the tentative Budget available on the website; however, he said, the Equalization & Apportionment (E&A) Table, which was part of the Budget, was not available on the website. Mr. Gabriels remarked that the E&A Table was very important because it was the fundamental repository of all of the assessed valuations in each of the individual towns and should be made available to the public by mid-October. He recognized that the Table was flexible and amended many times prior to the Budget being adopted, but he still felt that all drafts of the Table should be included on the website.

Mr. Dusek stated that he appreciated the value of the E&A Table and he had taken the position that the Table should not be released until at least the Tentative Budget was presented to the Board of Supervisors. He explained that as the budget process progressed the numbers could vary wildly and he was concerned about erroneous information getting out to both the public and the towns.

Mr. Gabriels commented that the Contingent Fund balance for 2011 was \$250,000 and it appeared that for 2012 it was approximately \$560,000. Chairman Stec responded that \$129,000 of the Contingent Fund was being earmarked for the meal sites in case the proposed changes were not feasible.

Privilege of the floor was extended to Calista Murray, Manager of the Bolton Meal Site. Ms. Murray stated she had been the Bolton Meal Site Manager for twenty years, and State Law dictated that each site required two staff at all times. She wondered if the County had researched the possibility of renegotiating the lease agreements for the meal sites, as a cost

savings measure. Mr. Dusek replied that there had been discussions similar to Ms. Murray's recommendation. Ms. Murray urged the Supervisors to visit their meal sites to see how they were run. She concluded that she did not think the proposed changes would be feasible for the meal sites and she asked the board members to reconsider.

Privilege of the floor was extended to Father Jim Loughrin, resident of the Town of Bolton. Father Loughrin said that the demographic in northern New York was now older than Florida. He remarked that the elderly population was growing and was also the most vulnerable portion of the population. He added that these people had paid taxes their entire lives and this service should not be reduced.

Privilege of the floor was extended to Linda Bennett, resident of the Town of Bolton. Ms. Bennett expressed the importance of the meal sites, especially in the north country. She appraised that not only was the program important, but also the employees at each site, many of whom had been at their respective sites for years and depended on their salaries.

In response to an inquiry regarding the consolidation of four meal sites into one common site in Warrensburg, Chairman Stec expounded that discussions were held between the Budget Team and the Director of the Office for the Aging during the budget process which led to the proposed changes. Mr. Geraghty added that Countryside Adult Home was a County-owned facility and for two years there had been discussions regarding its future. He noted the thought was that this change would reduce costs by utilizing a County-owned facility that already had a commercial kitchen available, as well as providing additional use of the facility and increasing patronage. Mr. Geraghty stated that the misnomer was that the program was going away, which was never the case. He explained the board members were still open to other options, such as if the towns were willing to offer to reduce their rates in an effort to work with the County.

Mr. Strainer pointed out that the meal site program was a non-mandated program and the Director of the Office for the Aging, Christie Sabo, had to be creative with the departmental budget in order to continue to provide meals to the seniors of the County. He commended Ms. Sabo for the effort she put forth to reduce the budget while maintaining such an important program.

Mr. Monroe expressed his concern at the town level, in that the individual towns did not have time to process this decision and do the necessary research to make sure that the meal sites in their towns could continue to operate. He noted the towns had already adopted their budgets and could not make the financial adjustments that would be necessary to accommodate the proposed changes to the meal sites. He suggested that no changes occur this year and that the towns be given the opportunity to determine if they could absorb more of the costs to keep the meal sites running as they currently were. Chairman Stec reiterated that the Budget Officer had provided for exactly that scenario.

Mr. Goodspeed echoed Mr. Monroe's statements concerning the timing of this proposal. He noted it was important to recognize that the communities that had these sites were all unique and the contracts were not all identical. He asserted that his biggest concern was how these changes could be implemented in six weeks without affecting the product that was delivered to the seniors. Mr. Goodspeed recommended a trial of the proposed changes before any permanent changes were made.

Mr. Loeb suggested that the proposed changes did not have to occur January 1, 2012, but could be slowly implemented over time. Regarding the Youth Court, he continued, that program had struggled to maintain its' funding and had faced reductions in funding from the State. He acknowledged that the County had reinstated the funding contribution for 2012 for the Youth Court and he further stated that the individuals, not the clients, that benefitted from the program should contribute financially, as well.

Mr. Taylor opined that the Youth Court was an outstanding program that benefitted the entire County. He provided statistical information relative to the Youth Court.

Mr. VanNess questioned if the Budget Committee had carefully reviewed the Print Shop, specifically the matter of increasing the cost charged to the towns for projects. He said his fear was the cost to contract out may be much greater than continuing to perform the work in-house.

Pertaining to the desire to delay implementation of the proposed changes for the meal sites, Mr. Dusek advised that unless a Contingent Fund transfer was approved now, once the 2012 Budget was adopted today, it could not be amended further until after January 1, 2012. Chairman Stec cautioned about utilizing the \$129,000 that was earmarked in the Contingent Fund at this time and suggested that if it was the desire of the board members to do such, a lesser amount be transferred for the time being.

There being no one further wishing to speak on the 2012 Tentative Warren County Budget, Chairman Stec declared the Public Hearing closed at 11:50 a.m.

Chairman Stec declared the Public Hearing on proposed Local Law No. 12 of 2011 entitled "A Local Law Reapportioning the Weighted Vote of the Members of the Warren County Board of Supervisors" open at 11:51 a.m. and requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing on proposed Local Law No. 12 of 2011 entitled "A Local Law Reapportioning the Weighted Vote of the Members of the Warren County Board of Supervisors".

There being no one wishing to speak on proposed Local Law No. 12 of 2011 entitled "A Local Law Reapportioning the Weighted Vote of the Members of the Warren County Board of Supervisors", Chairman Stec declared the Public Hearing closed at 11:56 a.m.

Chairman Stec advised the next item on the Agenda pertained to his reports. He remarked that his only report was to again thank the Budget Officer and the entire Budget Team for the work that was put into the preparation of the 2012 Budget.

Chairman Stec called for reports by Committee Chairmen on past month's activities or meetings and the following gave verbal reports:

Supervisor Merlino, Tourism; Supervisor McCoy, County Facilities; Supervisor Belden, Public Works; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Loeb, Social Services; Supervisor Taylor, Economic Growth & Development and Support Services; Supervisor McDevitt, Mental Health; Supervisor Monroe, Gaslight Village Ad Hoc; Supervisor Conover, Personnel; Supervisor Geraghty, Budget; Supervisor Wood, Planning & Community Development; Supervisor Thomas, Finance; Supervisor Sokol, Health Services; Supervisor VanNess, Public Safety; and Supervisor Champagne, Intercounty Solid Waste Coordinating.

In connection with the Tourism Committee, Mr. Merlino apprised Resolution No. 626 included in the packets was generated from the meeting and authorized an agreement with Kenyon Press, Inc. for the printing of the 2012 Whitewater Rafting Brochure. He applauded the Creative Director in the Tourism Department for the continuous progress that was made with the technology portion of the Department.

With regard to the County Facilities Committee, Mr. McCoy informed that the Committee approved the request from the local Fire Departments to utilize the former WIC Building for training under the supervision of the Fire Coordinator.

Mr. Goodspeed stated he did not have a monthly report; however, he noted that he was pleased to announce that Gore Mountain was in the process of making snow to commence their winter season.

Concerning the Public Works Committee, Mr. Belden expounded under the Parks, Recreation & Railroad portion of the meeting, the Committee was informed that the ridership numbers on the train continued to increase. He thanked Jeff Tennyson, Superintendent of Public Works, and his crews for completing the paving schedule for the towns and County. Under the Airport portion of the meeting, he continued, the Committee was able to view the new snowblower and fire truck that was purchased for the Airport and he noted that they were very impressive pieces of equipment.

Regarding the Occupancy Tax Coordination Committee, Mr. Kenny apprised that a report was received from the Lake George Association advising of a 99.8% success rate for

the Asian Clam eradication on the Lake Avenue site and he added that the Committee planned to review the request for funding status in January. Resolution No. 627 included in the packets, he stated, slightly amended the wording of the Occupancy Tax Funding Application and all applications would be reviewed at the November 30, 2011 Committee meeting. He noted that Resolution No. 645 would limit the administrative fee for the Treasurer's Office to 3% of occupancy tax funds, as opposed to 10%.

Relative to the Social Services Committee, Mr. Loeb reported the meeting consisted mainly of approval of training requests, and he noted that the ongoing emphasis on training was a benefit for the County and the increased efficiency in productivity in the Department of Social Services had become very evident.

Pertaining to the Economic Development & Growth Committee, Mr. Taylor asserted that the Committee had discussed the consolidation of dispatching services which was nearing completion. He recognized that the Mayor of the City of Glens Falls, Mayor Diamond, was present and he questioned if he had any additional information on the consolidation. Mayor Diamond began by thanking the Supervisors for their contributions towards the capital project at the Civic Center and added that they were looking forward to starting to promote up-County assets for the future. In terms of the consolidation of dispatching services, Mayor Diamond expounded that the City had completed the initial review and minor alterations and changes may be made to the agreement; however, he said, the City was ready to make the transition. Mr. Dusek responded that a number of issues had surfaced during the process of the consolidation efforts, such as grievances that had been filed by the Union in the City that had delayed the progress of this consolidation. He affirmed that the main concern was to work through the grievance issues and he believed that following such, the consolidation of dispatching services would be implemented. Mr. Dusek added that the consolidation was planned for in the 2012 County budget and this board had approved for that to happen. Mayor Diamond interjected that the City was willing to take the responsibility for any litigation or grievances relative to the City in order to complete this consolidation. In response to an inquiry by Mr. VanNess, Mayor Diamond confirmed that the City had budgeted for the costs associated with the training for the dispatchers. Mr. Dusek reported that he had made considerable progress and further opined that an agreement would be reached in a matter of days.

Concluding his report, Mr. Taylor advised that the Support Services Committee had met and under the Self-Insurance portion of the meeting, the Committee discussed the renewal of the contract with Needham Risk Management Resource Group, LLC, which was outlined in Resolution No. 648 included in the Supervisors' packets.

In connection with the Mental Health Committee, Mr. McDevitt informed that Resolution No. 611 in the packets authorized agreements with the Community Services Board and various agencies. He also requested that the County Administrator and County Attorney

further review the Siemens Industry, Inc. Annual Savings Report to determine if there was a better way to be more efficient. Mr. Dusek replied that such evaluations were currently underway at Westmount Health Facility and Countryside Adult Home to determine the County's options and whether or not the anticipated savings were being achieved and the results would be reported back to the Committee. In conclusion, Mr. McDevitt requested roll call votes on Resolution No. 614, Authorizing Execution of Client Acceptance of Year Six Annual Guaranteed Savings report for Siemens Industry, Inc. and Resolution No. 625, Authorizing Execution of Client Acceptance of Year Four Annual Guaranteed Savings Report for Siemens Industry, Inc. for Countryside Adult Home.

Mr. Girard commented that he attended the Youth Board meeting recently and they discussed the value of the Youth Court and the concerns with funding for such. He added that discussions on finding other funding sources would continue in the future. He commented on the consolidation of the dispatching services between the County and the City and he expressed his frustration with the amount of time it was taking to implement such consolidation. Sheriff York responded that his Office had a plan in place for the implementation and were ready to make the transition once the legal aspects were resolved.

With regard to the Gaslight Village Ad Hoc Committee, Mr. Monroe stated the Committee would be discussing a request from DPW for reimbursement for the crushed stone that was recently placed on the northern parcel of the Gaslight Village property. He noted discussions would also be held relative to a request from the Village of Lake George for reimbursement for rental of lights, poles and fuel for the parking of cars.

Concerning the Personnel Committee, Mr. Conover remarked that Resolution Nos. 633 through 637 were resultant of the meeting and consisted mainly of requests to fill vacant positions in various departments.

Mr. Geraghty commended those that were involved with the design of the new fire truck at the Airport and agreed with Mr. Belden that it was very impressive. He also thanked and congratulated all the individuals that assisted in the budget process. He referred to Resolution No. 651 included in the packets, Amending Tentative Budget Providing Appropriations for the Conduct of County Business for the Fiscal Year 2012, and recommended an amendment to include an additional \$40,000 from the Contingent Fund into the budget for the Office for the Aging to continue the meal site program through April 30, 2012.

Motion was made by Mr. Geraghty, seconded by Mr. Monroe and carried unanimously to include an additional \$40,000 from the Contingent Fund into the budget for the Office for the Aging to continue the meal site program through April 30, 2012.

Mr. Geraghty also referenced Resolution No. 652, Adopting Budget for Fiscal Year 2012, and following the recent NYSAC (New York State Association of Counties) meeting, it was announced that the Medicaid takeover by the State most likely would not occur. He added that at NYSAC they were also informed that the awarding of grants by the State would decline significantly. Mr. Geraghty said next year would be an even more difficult budget year and the Supervisors needed to be aware that very difficult decisions would need to be made in the future.

Regarding the Planning & Community Development Committee, Mrs. Wood advised Resolution No. 632 included in the Supervisors' packets was generated from the meeting and authorized an amendment agreement with the Warren County Local Development Corporation for payment for services.

Pertaining to the Finance Committee, Mr. Thomas highlighted Resolution No. 642, which awarded bids and authorized agreements for solid waste and recycling transportation services and for solid waste and recyclable disposal services, which was resultant of the meeting. He added Resolution No. 644 included in the packets, authorized the agreements for the sale of the Hudson Falls Waste Disposal and Electric Generation Facility and allocated the purchase price between Warren and Washington Counties. He noted that Resolution No. 646 introduced Local Law No. 1 of 2012, which would set the salary of the County Attorney.

In connection with the Health Services Committee, Mr. Sokol expounded that under the Westmount Health Facility portion of the meeting, the Committee reviewed the Year Six Annual Guaranteed Savings Report for Siemens Industry, Inc. and he noted that it was no longer possible to achieve the full energy savings with the removal of the former Social Services Building.

Relative to the Public Safety Committee, Mr. VanNess apprised Resolution No. 639 in the packets was generated from the meeting and authorized the use of the vacant WIC Building for Airpack Fire Training purposes, as discussed by Mr. McCoy.

With regard to the Intercounty Solid Waste Committee, Mr. Champagne announced he was pleased that the sale of the Burn Plant was finally complete. He thanked Mr. Monroe for his efforts and involvement in bringing the closure of the Plant to fruition. Mr. Belden echoed Mr. Champagne's statements and commended Mr. Monroe for all the work he put forth on this issue. Mr. Monroe commented that it was truly a team effort that went on for many years to reach this conclusion.

Chairman Stec informed the next item on the Agenda was the report by the County Administrator regarding the review of the Village of Lake George reimbursement request for Gaslight Village parking, mowing costs, etc.

Mr. Dusek explained that the Village had submitted its' revenues from parking, as well as its' expenses for parking, mowing, etc. and following his review, he determined that the cost for lighting for parking had not been included in the authorizing resolution, and the resolution only authorized two people for mowing, rather than the three that the Village was seeking reimbursement for. He informed that the Village of Lake George Mayor, Mayor Blais, agreed to remove the request for the third individual and the lights; thereby leading to the revised invoice before the board members today. He noted that the Mayor had asked that the matter of reimbursement for the lighting be revisited at the next Gaslight Village Ad Hoc Committee meeting.

Chairman Stec called for reading of communications.

Clerk read communications, including the following:

Minutes from:

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

Monthly Reports from:

Weights & Measures;
Probation.

Capital District Off-Track Betting, Third Quarter Benefit Distribution in the amount of \$21,111., August 31 and September 30, 2011 Financial Reports.;

Warren/Washington Counties Industrial Development Agency, Proposed 2012 Budget;

Letter from Dana Hogan, resigning from the Warren-Washington Counties Industrial Development Agency effective on December 31, 2011;

New York State Office of Parks, Recreation & Historic Preservation, notification of approval of Lake George Battleground on State Register of Historic Places, pending approval by the National Register;

United States Department of Homeland Security, advising that Warren County's request to extend the incident period for public assistance resulting from severe storms, flooding, etc. to May 24, 2011 had been denied;

Town of Johnsbury, Resolution No. 220 of 2011, authorizing the Town Supervisor to draft a letter in support of retention of Patricia Tatich and Wayne LaMothe as part-time rehires in the Planning & Community Development Department either in their current positions or as consultants.

A petition opposing the proposed budget cuts targeting the Office for the Aging senior meals programs.

Communications, resolutions and reports ordered placed on file.

Chairman Stec called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 610 through 648 were mailed. She noted that Resolution Nos. 616, 621 and 622 were mailed and had been corrected. She stated that a motion was needed to approve these resolutions as corrected. Motion was made by Mr. Belden, seconded by Mr. Loeb and carried unanimously to approve Resolution Nos. 616, 621 and 622 as corrected.

Mrs. Sady informed that the resolutions relating to the filling of vacant positions were Resolution Nos. 634, 635 and 636, and unless a roll call vote was requested, all would be approved in the collective vote.

Mrs. Sady announced a motion was needed to bring Resolution Nos. 609 and 649 through 655 to the floor. Motion was made by Mr. Loeb, seconded by Mr. Belden and carried unanimously to bring Resolution Nos. 609 and 649 through 655 to the floor.

Chairman Stec called for a vote on the resolutions.

Mr. Loeb requested a roll call vote on Resolution No. 646, Introducing Proposed Local Law No. 1 of 2012 and Authorizing Public Hearing Thereon.

Resolution Nos. 609 through 655 were approved. Mortgage Tax Report was submitted.

Mr. Geraghty announced the Warrensburg Fire Company would be hosting its' annual Thanksgiving Dinner on Sunday, November 20, 2011.

Chairman Stec wished everyone a Happy Thanksgiving and again congratulated all those that were involved in the budget process.

Mr. Dusek advised an executive session was needed to discuss Collective Bargaining negotiations and pending litigation.

Motion was made by Mr. Loeb, seconded by Mr. Belden and carried unanimously that executive session be declared pursuant to Sections 105 (d) and (e) of the Public Officers Law.

Executive session was declared from 1:00 p.m. to 2:30 p.m.

The board reconvened. Pursuant to the executive session, Motion was made by Mr. Girard, seconded by Mr. Belden and carried unanimously to authorize the execution of FSA, HRA, QTB Employer Open Enrollment Forms with EBS-RMSCO, Inc. Clerk noted it would be Resolution NO. 656 of 2011 for the record.

Motion was made by Mr. Girard, seconded by Mr. Belden and carried unanimously to authorize the settlement of a lawsuit in the matter of Debra A. Dudas v. the County of Warren. Clerk added it would be Resolution No. 657 of 2011 for the record.

Motion was made by Mr. Girard, seconded by Mr. Belden and carried unanimously to authorize the settlement of a lawsuit in the matter of Jason LaRoe v. the County of Warren and the Warren County Sheriff's Department. Clerk stated it would be Resolution No. 658 of 2011 for the record.

There being no further business, on motion by Mrs. Wood and seconded by Mr. McCoy, Chairman Stec adjourned the meeting at 2:35 p.m.