

**WARREN COUNTY BOARD OF SUPERVISORS  
BOARD MEETING  
FRIDAY, DECEMBER 16, 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 10:07 a.m.

Mr. Daniel G. Stec presiding.

Salute to the flag was led by Supervisor Sokol.

Roll called, the following members present:

Supervisors Conover, Girard, McDevitt, Taylor, Loeb, Kenny, Belden, Bentley, Goodspeed, McCoy, Merlino, Stec, Strainer, VanNess, Sokol, Thomas, Wood and Geraghty - 18.

Absent: Supervisor Monroe and Champagne - 2.

Motion was made by Mr. Belden, seconded by Mr. Strainer and carried unanimously, to approve the minutes of the November 18, 2011 Board Meeting and the December 1, 2011 Special Board Meeting, subject to correction by the Clerk of the Board.

Chairman Stec declared the Public Hearing on Local Law No. 13 of 2011, entitled "A Local Law Amending Local Law No. 3 of 2006 -The Warren County Occupancy Tax Law - to Revise Section 16-Disposition of Revenues" open at 10:09 a.m. and requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing on Local Law No. 13 of 2011, entitled "A Local Law Amending Local Law No. 3 of 2006 -The Warren County Occupancy Tax Law - to Revise Section 16-Disposition of Revenues".

There being no one wishing to speak on Local Law No. 13 of 2011, Chairman Stec declared the Public Hearing closed at 10:10 a.m.

Chairman Stec declared the Public Hearing on Local Law No. 1 of 2012, entitled "A Local Law Fixing the Salary of a Certain County Officer and Employee of Warren County" open at 10:11 a.m. and requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing on Local Law No. 1 of 2012, entitled "A Local Law Fixing the Salary of a Certain County Officer and Employee of Warren County".

There being no one wishing to speak on Local Law No. 1 of 2012, Chairman Stec declared the Public Hearing closed at 10:12 a.m.

Chairman Stec advised the next item on the Agenda pertained to his reports. He requested Supervisor Belden to come forward for a presentation. Chairman Stec announced that Mr. Belden would be retiring at the end of the year and he had served twenty years on

the Board of Supervisors as Supervisor of the Town of Hague. He noted that Mr. Belden had attended over two hundred Board meetings during his tenure. Chairman Stec stated that on behalf of the entire Board of Supervisors, all of the employees of Warren County and the constituents Mr. Belden had served, it had been a pleasure to work with him and he had served the County well. He presented Mr. Belden with a Proclamation, as well as a gift from the Board of Supervisors. The board members responded with applause.

Mr. Belden thanked the board members and noted it had been an honor and a pleasure to serve as the Town of Hague Supervisor for the last twenty years. He introduced his successor, Supervisor-Elect Edna Frasier, who was at the meeting today and had served as his Deputy for the past six years. He added that he was confident that she would continue to serve the County and the Town of Hague well. Mr. Belden said he would miss everyone at the County very much. The board members responded with applause.

Chairman Stec informed that Supervisor Champagne, who was unable to attend the meeting today, would also be retiring at the end of the year. Mr. Champagne, he said, was also a long tenured member of the Board of Supervisors and he would be recognized at the Organization Meeting on January 5, 2012 at 11:00 a.m.

Chairman Stec acknowledged that three other Supervisors would not be returning to the board in January and they were Mr. VanNess who had served since 2004; Mr. Goodspeed who had served since 2008; and Mr. McCoy who had served since 2010. He commended them all for their contributions to the County and noted they would be missed. The board members responded with applause.

Chairman Stec informed that Frank O'Keefe, Treasurer, would be retiring at the end of the year, as well, and he thanked Mr. O'Keefe for his years of service to the County. The board members responded with applause.

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

Supervisor Sokol, Health Services; Supervisor Thomas, Finance; Supervisor Wood, Planning & Community Development; Supervisor Conover, Personnel; Supervisor Taylor, Support Services; Supervisor Loeb, Social Services; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Belden, Public Works; Supervisor Goodspeed, Real Property Tax Services; Supervisor Merlino, Tourism; Supervisor Strainer, Human Services; and Supervisor VanNess, Public Safety.

Regarding the Health Services Committee, Mr. Sokol reported that Resolution Nos. 697 through 711 included in the Supervisors' packets were generated from the meeting, and consisted mainly of the renewal of annual contracts and appointments. He added that the Dietary Supervisor had resigned to take a higher paying position at a different facility and they

were in the process of interviewing to fill that position.

Concerning the Finance Committee, Mr. Thomas informed Resolution Nos. 660, 661 and 734 through 747 and 751 through 753 were resultant of the meeting. He highlighted a few of the resolutions as follows: Resolution No. 661, Amending Warren County Budget for 2011 for Various Departments Within Warren County, and he noted that included in the budget amendment were the proceeds from the sale of the Burn Plant; Resolution No. 734, Supporting the Election Commissioners Association Recommendation to Hold the Federal, State and Local Primary Elections on the Fourth Tuesday in June; Resolution No. 735 Authorizing Payments to SUNY Adirondack; Resolution No. 737, Authorizing Extension of Lease Agreement with Perkins Recycling Corporation; Resolution No. 738, Amending Resolution No. 534 of 2011 to Reflect Transfer of Funds Prior to Receiving an Invoice from Aeon Nexus Corporation; Resolution Nos. 750 and 752 related to a Capital Reserve Fund for Airport Improvement Projects; Resolution No. 741, Adopting the Fund Balance Policy in Accordance with GASB Statement No. 54; Resolution No. 745, Accepting and Approving the Corrective Action Plan, Unassigned Fund Balance and GASB Fund Balance Policy for Warren County; Resolution No. 746, Authorizing Payment to the Warren County Soil & Water Conservation District for 2012 in the Amount of \$284,000; Resolution No. 747, Authorizing the County Treasurer to Transfer Funds From the General Fund Unappropriated Surplus into the Sheriff's Office Budget, and Amending 2011 Warren County Budget; Resolution No. 749, Amending Warren County Budget for 2011 for the Department of Public Works, which related to the Gaslight Village property; and Resolution No. 751, Amending Resolution No. 522 of 2011; Increasing Capital Project No. H327.9550 280 Tropical Storm Irene, Changing Source of Funding for Local Share, Authorizing Transfer of Funds and Amending Warren County Budget for 2011.

Relative to the Planning & Community Development Committee, Mrs. Wood apprised the majority of discussions focused on the Planning Department staff and the budget plan for 2012. She added that two resolutions were generated at the meeting, Resolution No. 720, Adopting the Warren County Planning & Community Development Department Programs, Staffing and Budget Plan for 2012; and Resolution No. 756, Dissolving the Warren County Planning Board and Authorizing Actions to Transfer Certain Review Functions to the Warren County Planning & Community Development Department Staff. Mrs. Wood referenced Resolution No. 748, Introducing Proposed Local Law No. 2 of 2012 and Authorizing Public Hearing Thereon, which related to entering into agreements with the Warren County Local Development Corporation (LDC) to perform economic development, planning and grant and loan services of behalf of Warren County. She expressed her concern with Section 5 of the resolution and requested Paul Dusek, County Administrator, to expound on the matter. Mr. Dusek explained that the intent was to create additional permissive authority to rearrange the Planning & Community Development Department and loan programs with the LDC. He acknowledged that the revocation or repealing of Local Law No. 4 of 2007 as outlined in Section 5, which had provided for the Planning & Community Development Department to

do administration, was inadvertently included in the resolution and should not have been because the intent was for the authority to remain with the County's Planning & Community Development Department. Mr. Dusek recommended that Section 5 of the resolution be deleted and the following sections be renumbered appropriately.

Mr. Geraghty took a moment to thank his colleagues for a unanimous vote in favor of the 2012 Budget. He acknowledged that the Supervisors that were not returning in 2012 would be greatly missed; however, he said, he welcomed the new members to the Board of Supervisors. Mr. Geraghty wished everyone a Merry Christmas and a Happy New Year.

In connection with the Personnel Committee, Mr. Conover stated Resolution Nos. 721 through 730 and 732 were resultant of the meeting. He highlighted the following resolutions: Resolution No. 724, Authorizing the Appointment of Lexi Delurey as Director of Real Property Tax Services; Resolution No. 730, Amending Resolution No. 1 of 2011; Adopting the Rules of the Board of Supervisors, he noted this would allow the Sheriff to fill the mandated positions within the Corrections Facility in an effort to reduce overtime costs; and Resolution No. 732, Amending Table of Organization and Warren County Salary and Compensation Plan for 2011.

Mr. Girard commented that he had attended a recent Youth Court session and it was very impressive. He reminded the board members that there was a shortfall of approximately \$18,000 in the Youth Court budget and fund-raising efforts continued to be explored.

Mr. McDevitt wished the Supervisors that would not be returning in 2012, as well as Mr. O'Keefe, the very best and thanked them all for their contributions to the County. He wished everyone a Merry Christmas and a Happy New Year.

With regard to the Support Services Committee, Mr. Taylor advised Resolution Nos. 757 through 759 included in the packets were generated under the Self-Insurance portion of the meeting. He reviewed them as follows: Resolution No. 757 Authorizing Renewal of Employers Liability Specific Excess Coverage with Capitol Indemnity Corporation for 2012; Resolution No. 758, Authorizing Renewal of Excess Workers' Compensation Policy with Midwest Employers Casualty Company for 2012; and Resolution No. 759, Authorizing Renewal of Warren County's Insurance for 2012 and Authorizing Payment to Cool Insuring Agency, Inc. He added that a premium return in the amount of \$31,335 would be received in the first quarter of 2012.

Pertaining to the Social Services Committee, Mr. Loeb reported that under the leadership of the Deputy Commissioner of the Department of Social Services, overtime had decreased considerably in the Department as a result of ongoing training. He requested that Resolution No. 734, Supporting the Election Commissioners Association Recommendation to Hold the Federal, State and Local Primary Elections on the Fourth Tuesday in June, be tabled

due to the fact that the request had not gone through the appropriate Committee procedure.

Motion was made by Mr. Loeb and seconded by Mr. McDevitt to table Resolution No. 734. Due to the lack of a majority vote, the motion to table Resolution No. 734 failed.

Concerning the Occupancy Tax Coordination Committee, Mr. Kenny informed that \$350,000 in occupancy tax funds were distributed to special events for 2012 to thirty-five applicants, as was reflected in Resolution No. 719 included in the Supervisors' packets. He noted that Resolution No. 717 was also generated from the meeting and amended the Warren County Tourist and Convention Development agreement and the application for occupancy tax funding to make minor changes for clarification. He wished everyone a Merry Christmas and took a moment to say goodbye to the outgoing Supervisors, which comprised half of the Occupancy Tax Coordination Committee. He acknowledged Mr. McCoy's great love for the community, which he truly admired. He added that the Town of Johnsbury was losing a great leader. He recognized Mr. Belden as his right hand man for the past fourteen years and stated he would miss him tremendously.

Regarding the Public Works Committee, Mr. Belden asserted that a special meeting had been held to discuss Airport matters, specifically an extension of the runway. He stated that the Committee agreed to a one thousand foot extension of the runway, and he thanked Mr. Dusek for the work he had put forth to resolve the issue. Mr. Belden discussed his working relationship with Jeff Tennyson, Superintendent of Public Works, noting it had been the most cooperative relationship he had experienced with any Superintendent and he thanked Mr. Tennyson for always keeping him informed on all matters related to Public Works. In closing, he wished everyone a Merry Christmas and a Happy New Year.

Mr. Bentley announced he was going to miss Mr. Belden very much and that it had been a pleasure to serve with him, as well as the other outgoing Supervisors.

In connection with the Real Property Tax Services Committee, Mr. Goodspeed apprised that the meeting consisted mainly of end of the year housekeeping items. One lengthy discussion matter, he said, pertained to the bidding process at the County land auction and a future resolution would be prepared to include enforcement powers and penalties for those that bid on a property and subsequently decided they did not want it. He welcomed the Town of Johnsbury Supervisor-Elect, Ronald Vanselow, who was at the meeting today and he wished him well as a new member of the Board of Supervisors. He further wished everyone a happy holiday season.

Mr. McCoy thanked all of the Supervisors for assisting him during his time on the board and noted it had been a pleasure to work with each and every one of them. He added that he especially wanted to thank Mr. Dusek for doing an outstanding job leading the County in the right direction.

With regard to the Tourism Committee, Mr. Merlino remarked Resolution Nos. 690 through 695 included in the packets were resultant of the meeting, which consisted mainly of annual housekeeping items. He pointed out that the technology within the Department continued to progress daily, as did the advertising for the County. Mr. Merlino referred to Resolution No. 761 which was distributed to the board members, and would authorize an extension agreement with the Lake George Regional Chamber of Commerce & CVB for the 2012 Sales/Special Event/Convention Agency/Association. He acknowledged the outgoing Supervisors, and stated he would miss them all very much. He wished everyone a Merry Christmas.

Relative to the Human Services Committee, Mr. Strainer informed Resolution Nos. 665 through 669 were generated under the Office for the Aging portion of the meeting, which were mostly end of the year annual contract renewals. He echoed the sentiments of the other Supervisors, in stating that it had been a pleasure working with the Supervisors that would not be returning in 2012 and he thanked them all for their hard work while serving as members of the Board of Supervisors.

Concerning the Public Safety Committee, Mr. VanNess apprised Resolution Nos. 714 through 716 included in the Supervisors' packets were approved under the Sheriff & Communications portion of the meeting and authorized various annual agreements for the Corrections Facility. After thirty-eight years of public service, he continued, both volunteered and paid, it had been a great venture and a very interesting part of his life. He noted that he appreciated everyone that he had worked with over the years and added that everyone worked in the best interest of the County. He wished all in attendance a Merry Christmas and a Happy New Year.

Mr. Sokol wished everyone that was leaving the Board of Supervisors the best of luck in their future endeavors. He thanked Mr. VanNess for the remarkable stories from his public safety career that he had shared with him over the years.

Chairman Stec informed the next item on the Agenda was the report by the County Administrator. Mr. Dusek advised that he had a few late matters to bring before the board members. The first item, he said, concerned a contract that the County had with Integrys Energy Services of New York, Inc. for the County's electricity service, which had been secured through the efforts of MEGA (Municipal Electric & Gas Alliance). He further explained that MEGA sought to bid out and secure very low pricing for the gas and electric needs of the County. Mr. Dusek asserted that electric prices had decreased significantly and if the board members were in favor of authorizing an agreement for twenty-four months to secure the lower cost for electricity, the County could potentially save approximately 30% off the current pricing. He noted a draft resolution, as well as a graph that showed the cost savings, was being distributed, a copy of which is on file with the minutes. He stated that there had been an option to contract for either twelve, twenty-four or thirty-six months and he

recommended twenty-four months.

In response to an inquiry from Mr. Girard regarding solicitations with different companies, Mr. Dusek explained that MEGA was an alliance of a number of municipalities and they produced and released the RFP's (Requests for Proposals) on behalf of the County; however, he added, the County could do the exact same thing on its' own.

Mr. Dusek apprised of another matter that required discussion, and informed that the County had received approximately \$281,000 in funding from FEMA (Federal Emergency Management Agency) for the April storms. He noted that a draft resolution had been distributed which would amend Resolution No. 393 of 2011 to change the source of funding for Capital Project No. H324.9550 280 2011 Storm Damage to reflect the FEMA funds.

Lastly, Mr. Dusek commented that it had always been a pleasure and a privilege to serve the board and he would be remiss if he did not recognize the contributions made by the outgoing Supervisors. He added that the citizens of the County had been well served by the work that these gentlemen had put into the County and, he said, it had been a privilege to work with each one of them.

Chairman Stec acknowledged that a motion was needed to bring the aforementioned draft resolutions to the floor.

Motion was made by Mr. Belden, seconded by Mr. Goodspeed and carried unanimously to authorize an extension and/or further agreement with Integrys Energy Services of New York, Inc. as preferred supplier for electrical through the Municipal Electric & Gas Alliance (MEGA). Clerk noted it would be Resolution No. 762 of 2011 for the record.

Motion was made by Mr. Belden, seconded by Mr. Goodspeed and carried unanimously to amend Resolution No. 393 of 2011 to change the source of funding for Capital Project No. H324.9550 280 2011 Storm Damage. Clerk stated it would be Resolution No. 763 of 2011 for the record.

Mr. Taylor mentioned that the Open Door had been working with the Office for the Aging (OFA) and had volunteered to provide the food for one meal on a trial basis for the upcoming week. He remarked that there would be no cost to the County associated with this and he was very pleased to see how organizations in the communities work together in times of need.

Chairman Stec called for reading of communications.

Clerk read communications, including the following:

Minutes from:  
Warren/Washington Counties IDA.

Monthly Reports from:  
Weights & Measures;  
Probation.

Capital District Regional Off-Track Betting Corporation, October 2011 surcharge in the amount of \$6,989.

New York State Office for the Aging, Findings of Annual Evaluation of Warren/Hamilton Counties Office for the Aging.

Letter from Mike Swan advising of his resignation as Director of Real Property Tax Services, effective December 31, 2011.

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. 661 through 751 were mailed. She noted that Resolution Nos. 716 and 751 were mailed and had been corrected. She stated that a motion was needed to approve these resolutions as corrected. Motion was made by Mr. Taylor, seconded by Mr. VanNess and carried unanimously to approve Resolution Nos. 716 and 751 as corrected.

Mrs. Sady informed that the resolutions relating to the filling of vacant positions were Resolution Nos. 721 through 728, 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. 660 and 752 through 761 to the floor. Motion was made by Mr. McCoy, seconded by Mr. Loeb and carried unanimously to bring Resolution Nos. 660 and 752 through 761 to the floor.

Mr. McDevitt requested a roll call on Resolution No. 688, Authorizing Agreement with the South Warren Snowmobile Club, Inc. to Use Approximately 7,128 Feet (1.35 Miles) of the Warren County Bikeway for a Snowmobile Trail.

Mr. Kenny requested a roll call vote on Resolution No. 761, Authorizing an Extension Agreement with the Lake George Regional Chamber of Commerce & CVB for the 2012 Sales/Special Event/Convention Agency/Association (WC 90-10).



Mr. Girard requested a roll call vote on Resolution No. 711, Authorizing Amendment Agreement with Lori A. Girard, Registered Dietician, CDN.

Motion was made by Mr. Thomas, seconded by Mrs. Wood and carried unanimously to amend Resolution No. 748, Introducing Proposed Local Law No. 2 of 2012 and Authorizing Public Hearing Thereon, to delete Section 5 as previously discussed in the meeting, and to renumber the remaining sections appropriately.

Mr. Loeb requested a roll call vote on Resolution No. 734, Supporting the Election Commissioners Association Recommendation to Hold the Federal, State and Local Primary Elections on the Fourth Tuesday in June.

Chairman Stec called for a vote on the resolutions.

Resolution Nos. 660 through 763 were approved. Certificate of Appointment for the Saratoga-Warren-Washington Counties Workforce Investment Board, was submitted.

Chairman Stec advised an additional resolution was forthcoming and he requested Mr. Dusek to explain the resolution. Mr. Dusek asserted this resolution pertained to the Airport runway extension and the arrangement that the County was making with the owner of property that was just south of the Airport. He further stated that the Public Works Committee had reviewed and determined that a six thousand foot runway would be adequate for the County's needs and in order to accomplish such extension, the developer would need to move certain buildings located on his property to allow for an appropriate flight path. The agreement, he continued, would allow for the construction of an access road across County-owned property in order to develop this property and the developer would move his buildings. Mr. Dusek said that ultimately, the County would need to reach an agreed upon price for the avigation easement that would be placed over the developer's property. He noted that the draft resolution being distributed would authorize a letter of intent relative to the proposed commercial development of property located adjacent to the Airport.

Mr. VanNess questioned how the runway extension would impact the conceptual plan for the Fire Training Center and Mr. Tennyson replied there were two prime concepts for the location of the access road which could be a benefit to the Fire Training Center; however, he added, those negotiations were continuing at this time. Mr. VanNess further requested that the board members continue to pursue the development of the Fire Training Center.

Motion was made by Mr. Goodspeed, seconded by Mr. Belden and carried unanimously to authorize the Chairman of the Board of Supervisors to execute a letter of intent relative to the proposed commercial development of property located adjacent to the Airport. Clerk added it would be Resolution No. 764 of 2011 for the record.

Chairman Stec announced that following the meeting, a luncheon was planned in the honor of Mr. Belden.

Mr. Kenny mentioned that he had unintentionally neglected to say farewell to Mr. VanNess and he took a moment to recognize that the Board of Supervisors had never had a member with such vast knowledge of public safety as Mr. VanNess had. He stated that Mr. VanNess would truly be missed.

Mr. VanNess thanked Mrs. Sady and her staff, as well as Mr. Dusek, for all the assistance they had provided to him and the entire Board of Supervisors.

Mr. Goodspeed thanked everyone for the opportunity to serve as a member of the board and stated it had really been an honor. He commended Mr. Dusek and his Office for the tremendous professionalism they had brought to the County, as well as Mrs. Sady, her staff and all of the Department Heads.

Chairman Stec provided a brief year-end recap. He offered the following highlights from 2011: a solid and responsible budget was accomplished despite very difficult economic conditions; the County's Fund Balance had recovered during 2011; the execution of the train operator contract, which had wildly exceeded their projections for ridership in 2011; the resolve of issues between Americade and the New York State Department of Environmental Conservation (NYS DEC), for which he accredited to Mr. McCoy; the efforts put forth for the environmental protection of Lake George, which was declared the clearest lake in all of New York State this year; the completion of the Main Street/Corinth Road reconstruction project, the most complex project in the history of the New York State Department of Transportation (NYS DOT) which had turned out beautifully; and the devastating storms the County endured in the spring and the summer, all of which were handled in stride. In conclusion, Chairman Stec said the entire Board of Supervisors should be very proud of the work that had been accomplished in 2011.

Prior to adjourning, Chairman Stec announced an executive session was necessary to discuss a discipline matter of a particular person.

Mr. Girard requested additional information relative to the Magic Forest issue and the concern with property boundaries and right-of-way (ROW) issues. Mr. Tennyson responded that a letter regarding encroachment had been forwarded to the appropriate parties with regard to this matter.

Motion was made by Mr. Conover, seconded by Mr. Sokol and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:36 a.m. to 12:45 p.m.

The board reconvened and Chairman Stec informed that no action was necessary pursuant to the executive session.

Mr. Dusek advised that a discrepancy had been discovered on the tax roll resolution, with regard to the Town of Lake George. As a result, he said, Resolution No. 712 included in the packets did not provide for any kind of rate to be set for the Caldwell Sewer District; therefore, he continued, it was necessary to amend the resolution to set the Caldwell Sewer District tax rate at 74.472993 and to allow for the Clerk of the Board, the Treasurer and the Director of Real Property Tax Services to establish the amount to be raised by tax.

Motion was made by Mr. McCoy, seconded by Mr. Belden and carried unanimously to amend Resolution No. 712 to set the Caldwell Sewer District tax rate at 74.472993 and to allow for the Clerk of the Board, the Treasurer and the Director of Real Property Tax Services to establish the amount to be raised by tax.

There being no further business, on motion by Mr. Belden and seconded by Mr. McCoy, Chairman Stec adjourned the meeting at 12:47 p.m.