

Warren County Board of Supervisors



**BOARD MEETING
FRIDAY, AUGUST 16, 2013**



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. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Girard.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Frasier, Bentley, Vanselow, Dickinson, Merlino, Montesi, Mason, Strainer, Westcott, Sokol, Thomas, Wood and Geraghty - 20.

Motion was made by Mr. Vanselow, seconded by Mr. Strainer and carried unanimously to approve the minutes of the July 19, 2013 Board Meeting, subject to correction by the Clerk of the Board.

Before beginning the agenda review, Chairman Geraghty asked Rick Bolton, Senior Building Maintenance Worker for the Buildings & Grounds Division, to come forward to receive a Certificate of Appreciation in honor of his 28 years of service to Warren County, which would be presented by Jeffery Tennyson, Superintendent of Public Works. Mr. Tennyson read the Certificate of Appreciation aloud, following which he noted that Mr. Bolton had been a key leader on the Building & Grounds day crew for many years, overseeing much of the day-to-day operations. Additionally, Mr. Tennyson advised that Mr. Bolton served as a carpenter, building most of the custom furniture ordered by the various departments located within the Municipal Center Building, and was also responsible for installing and maintaining all of the lock, key and fob sets throughout the Municipal Center and Human Services Buildings. He continued that Mr. Bolton also oversaw other systems that many did not even know existed, such as those relating to the County Fuel Farms, and he stated that regardless of the tasks assigned to him, Mr. Bolton always completed his work with a smile, serving as a model for all Warren County staff members to emulate. Mr. Tennyson noted Mr. Bolton's impending retirement and said he would be very hard to replace. A round of applause was given.

Mr. Bolton thanked Mr. Tennyson and the Board of Supervisors for their recognition. He said he had made many friends over the past 28 years and advised that Warren County was lucky to have acquired such an outstanding group of employees. Another round of applause was given.

Beginning the Agenda review with the Report by Chairman of the Board, Chairman Geraghty advised he had attended several meetings over the past month, which he listed as follows: July 23, Budget/Department Head Meeting; July 29, Public Works, Park Operations & Maintenance, and Gaslight Village Ad Hoc Committee Meetings; July 30, meeting with New York Secretary of State Cesar A. Perales in Lake George, NY; July 31, Adirondack Park Local Government Review Board Meeting in Chestertown, NY; August 1, Tourism and Occupancy Tax Coordination Committee Meetings; August 2, Budget Committee Meeting; August 6, meeting with Saratoga and North Creek Railway personnel; August 7, Personnel, Finance, Legislative & Rules and Public Safety Committee Meetings; August 10, Rural Heritage Festival in Warrensburg, NY and participated in the Croquet Challenge; August 12, Real Property Tax Services Last Chance Meeting; and August 15, Editorial Board Meeting at the Post Star to discuss the appointment of Ed Bartholomew as President of the Economic Development Corporation of Warren

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County. *A full copy of Chairman Geraghty's report is on file with the Board Meeting Minutes.*

Continuing, Chairman Geraghty called for reports by Committee Chairmen on the past months meetings or activities, and the following were made: Supervisor Girard, County Facilities and Extension Services; Supervisor Taylor, Economic Growth & Development; Supervisor Loeb, Social Services; Supervisor Kenny, Occupancy Tax; Supervisor Bentley, Public Works; Supervisor Dickinson, Invasive Species Sub Committee; Supervisor Merlino, Tourism; Supervisor Strainer, Community College and Human Services; Supervisor Thomas, Budget; Supervisor Wood, Public Safety; Supervisor Conover, Finance; and Supervisor Monroe, Legislative & Rules and Park Operations & Maintenance.

Concerning the meeting of the County Facilities Committee held on July 25th, Mr. Girard advised the Committee had discussed preparations for the upcoming Adirondack Balloon Festival and parking arrangements. He said they were working on improving parking techniques and offerings for paid preferred parking passes. With respect to Extension Services, Mr. Girard noted that Cornell Cooperative Extension's (CCE) annual golf tournament would be held on August 24th at Cronin's Golf Resort in Warrensburg, NY; he encouraged anyone wishing to provide sponsorship for the event to do so by contacting CCE directly.

Mr. Westcott advised he had been unable to attend the County Facilities Committee meeting because he was on vacation when it was held, but had read the meeting minutes. He noted that the meeting had been originally scheduled for an alternate date, but was subsequently changed, and he requested an explanation for the rescheduling. Joan Sady, Clerk of the Board, responded that the change had been prompted by the cancellation of one meeting and the re-scheduling of several others. Mr. Girard assured Mr. Westcott that the scheduling change had not been requested by the Committee in order to hold the meeting at a time when he was unavailable.

In lieu of his report, Mr. Taylor introduced Ed Bartholomew, newly appointed President of the Economic Development Corporation (EDC) of Warren County. A round of applause was given.

Mr. Bartholomew thanked Mr. Taylor and the rest of the Board of Supervisors for their warm welcome. He stated he was very confident that with the support of the entire community, increased economic development in Warren County could be achieved. He continued that in order to be successful, many parties, including Warren County and its municipalities, members of the private sector, SUNY Adirondack and the local Chambers of Commerce, would have to commit to work together and communicate the economic and infrastructure needs of each municipality beyond water, sewer and highway facilities. In furtherance of this effort, Mr. Bartholomew indicated that he would be attending a conference of the Capital Region Economic Development Council on October 30th and 31st in Albany, NY where he hoped to present a detailed inventory of the needs of Warren County and its communities and businesses. He explained this inventory would be developed based on a survey that would be distributed to both Warren County municipalities and the business community. Mr. Bartholomew stated that it was important for all of the municipalities and businesses in Warren County to speak with one voice and he said he was delighted to have the opportunity to work with the Warren County Board of Supervisors and the wonderful local businesses through the EDC to achieve these efforts. He continued that as well as manufacturing companies and many small businesses, the tourism and hospitality industry represented a large portion of the employment infrastructure of Warren County and he felt this facet needed to be brought into the EDC program as well to provide assistance. Mr. Bartholomew apprised that he had spoken with Chairman Geraghty and assured that EDC representatives would be setting up office hours at the Warren County Municipal Center on a regular basis to discuss the needs of the County and he said they would make exhaustive site visitations to the various communities of Warren County to talk to both elected officials and business owners about the

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needs of each. Mr. Bartholomew concluded that he looked forward to working with the Board of Supervisors and hoped that collectively, and with a bit of luck, they might move forward and accomplish these goals.

Mr. McDevitt welcomed Mr. Bartholomew and said he could not think of a finer, more astute and hard working person to have been chosen for the EDC Presidentship and he said he also looked forward to their future business dealings. Mr. Taylor commented that he also looked forward to working with Mr. Bartholomew as he felt he had the right attitude and ability to address problems and he anticipated that Mr. Bartholomew would be very successful in the EDC President position.

Resuming the reports by Committee Chairman, Mr. Loeb advised the Social Services Committee had met on July 26th, during which they had approved a series of requests in support of the restructuring of the Department of Social Services to meet efficiency needs and budgetary constrictions.

The Occupancy Tax Coordination Committee held a brief meeting on August 1st, Mr. Kenny apprised. He reported that they had discussed the cancellation of an American Legion Baseball Tournament due to weather which had led to the return of \$1,000 in occupancy tax funding. Mr. Kenny advised the Committee had been presented with a request from the Town and Village of Lake George for \$50,000 in occupancy tax funding, but the Committee had decided to table the request as there was no one present from either the Town or Village of Lake George to explain the request. Finally, Mr. Kenny reported the Committee had responded to a request from the Lake George Regional Chamber of Commerce & Convention and Visitors Bureau (*LGRCC & CVB*) seeking advanced funding for renovations to the Exit 17 Information Center; he explained that due to cash flow issues, the LGRCC & CVB had requested an advance of the renovation funding, but upon consulting with the County Attorney, it had been determined this action was illegal. Mr. Kenny advised the renovations would continue and vouchers for reimbursements would be submitted.

Mr. Bentley advised the Public Works Committee had met on July 29th, addressing typical departmental business. He pointed out that proposed Resolution Nos. 440 - 443, included in the resolution packet, represented the action taken by the Public Works Committee, as well as proposed Resolution No. 455, *Declaring Fruehauf Box Trailer Surplus and Authorizing the Sale of the Fruehauf Box Trailer to the Warrensburg Volunteer Fire Company*, which was approved by the Public Works Committee and referred to the Finance Committee.

Mr. Dickinson commented that the Invasive Species Sub-Committee had not met during the past month, but he pointed out proposed Resolution No. 451, *Authorizing the Appropriation of Funds from the Occupancy Tax Reserve to the Tourism Budget; Amending 2013 Warren County Budget*, approved by the Finance Committee, which would provide \$150,000 in funding to the Asian Clam eradication effort in Lake George. He noted that a line item had been included in the County Budget for the invasive species eradication effort, although no money had been contributed to it, leading to the request for mid-year funding. Mr. Dickinson reported the Finance Committee members had been divided in their opinions as to how the funding should be provided, but had finally settled upon an appropriation from the occupancy tax reserve. He advised the Invasive Species Sub-Committee was working to find a means for long-term funding of the project and he apprised that Congressman Bill Owens had recently taken a kayak trip on Lake George to view one infested site, followed by a trip on the Floating Classroom where they had witnessed hand harvesting of milfoil. Mr. Dickinson said the amount of labor that went into these eradication efforts was amazing and he noted that upon concluding his visit, they had been left with the impression that Congressman Owens recognized the issues at hand and would attempt to provide increased financial support to assist with these efforts. Mr. Dickinson concluded that while they hoped long-term funding for future eradication efforts would be found for use beginning in 2014,

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the \$150,000 requested was necessary to continue current eradication work.

With respect to the Tourism Committee Meeting held on August 1st, Mr. Merlino reported proposed Resolution Nos. 144 - 149 had been approved, all of which pertained to typical County business.

Mr. Strainer reminded the Board Members that on Thursday, August 22nd at 3:00 p.m. SUNY Adirondack would be holding a ribbon cutting ceremony for their student housing facility. He said this was the first step into a new territory for SUNY Adirondack and he hoped his fellow Board Members would attend. Mr. Strainer reported that the Summer Youth Picnic had been held on the prior day; he advised that it had been a very enjoyable event, featuring NBA Referee Dick Bavetta as the guest speaker. He commended Sharon Sano, Senior Counselor, Employment & Training Administration, on the excellent work she had done in planning and organizing the picnic and he said he hoped more supervisors would attend next years event. Mr. Strainer apprised he had participated in the Supervisors Croquet Challenge which was held during the recent Rural Heritage and Youth Fair at the Warren County Fairgrounds, narrowly losing to Mr. Merlino who had won the Challenge for a second year. He said the Fair had been very nice and well attended and he noted the Fairgrounds property was a wonderful site that had great potential for hosting other events.

Mr. Thomas advised that the Budget Committee had met on August 2nd and a thorough review of the multi-year budgeting plan developed by the County Administrator's Office was provided, following which discussion had ensued regarding funding for road projects, machinery purchases and the invasive species eradication effort. He reported that the Budget Committee had requested that various funding scenarios be applied to the multi-year budgeting plan to determine the overall outcome, including providing \$300,000 for the invasive species eradication effort, as well as two different options for road project/machinery purchase costs: A) increase county road fund by \$1 million and the machinery fund by \$500,000; B) increase county road fund by \$2 million and the machinery fund by \$1 million. Mr. Thomas said the County Administrator's Office was in the process of incorporating these expenses into the multi-year plan to determine how future budget years would be affected. He cautioned that a review of departmental budgets had not yet been undertaken and therefore the impact of rising health insurance and retirement costs was still unknown.

Mrs. Wood announced that several meetings of the Public Safety Committee had been held over the last month, most of which pertained to interviews for the Fire Prevention & Building Code Enforcement Administrator position had become vacant on August 15th with Karen Putney's retirement. She said she wished Mrs. Putney well in her retirement and stated her appreciation for the many years Mrs. Putney had served Warren County. Mrs. Wood commented several interviews had been conducted and she said they had been very fortunate to have drawn a number of qualified applicants; she said they hoped to complete the interview process and make a recommendation to the Personnel Committee on a candidate for the position within the coming month.

The Finance Committee had met on August 7th, Mr. Conover reported, approving proposed Resolution Nos. 423, 424 and 450 - 457, all of which were included in the resolution packet. With respect to proposed Resolution No. 451, *Authorizing the Appropriation of Funds from the Occupancy Tax Reserve to the Tourism Budget; Amending 2013 Warren County Budget*, Mr. Conover advised there had been a lot of discussion amongst the Finance Committee members regarding how the \$150,000 in funding should be provided for the Asian Clam eradication efforts, but there was a unanimous opinion that the funding was necessary. He said there were varying opinions as to whether this funding should be contributed from the general fund, the occupancy tax reserve, or a mixture of both, but the Committee had finally settled on an appropriation from the occupancy tax reserve. Mr. Conover also pointed out proposed Resolution No. 454, *A Resolution Authorizing Warren County to Sponsor on Behalf of the Lake*

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George Watershed Coalition a Consolidated Funding Application for Funding to Mitigate and Prevent Invasive Species in Lake George, noting that the grant funding received would be used to address a number of issues, but primarily to finance the combating of aquatic invasive species.

Mr. Monroe advised that during their last meeting on August 7th, the Legislative & Rules Committee had discussed problems with beaver dam failures which were causing road washouts and damages. He said this was a very difficult problem to address because many of the dams involved millions of gallons of water and were located on private property. Mr. Monroe reported the Committee had decided the first step in alleviating these issues would be to inventory all of the beaver dam locations and determine which were hazardous to the highway infrastructure and they had authorized Amy Drexel, Deputy Director of the Office of Emergency Services, to work with Jim Lieberum, Warren County Soil & Water Conservation District Manager, to prepare a proposal outlining projected costs for developing an inventory and evaluation plan for the beaver dams which may be problematic and potentially damaging.

The Legislative & Rules Committee had also discussed the Federally proposed "Biomass Thermal Utilization Act of 2013" (*H.R. 2715*), Mr. Monroe advised, which recognized biomass thermal technologies within the renewable energy provisions of the tax code and would help homeowners and businesses across the Nation meet their heating needs with renewable biomass energy while providing a 30% income tax credit to homeowners who installed biomass boilers. He said this initiative would provide a positive benefit to the area because it would reduce heating fuel costs by about 50% and if many biomass boilers were installed, it would create a local market for good quality wood. He advised the Legislative & Rules Committee had subsequently approved proposed Resolution No. 426, *Supporting the Proposed Biomass Thermal Utilization Act of 2013 (H.R. 2715) and Encouraging Congressman Owens to Offer Support of the Bill*; he pointed out that the proposed Resolution should be amended to request support from both Senator Little and Assemblyman Stec, as well as Congressman Owens.

Continuing, Mr. Monroe reported that the Legislative & Rules Committee had talked about the Town of Lake George having gone through the necessary steps to enact a local law requiring mandatory boat inspections and/or washes for all vessels entering Lake George. He said the Committee members felt strongly that the same protections should be available throughout Warren County and therefore, they had made a referral to the Invasive Species Sub-Committee requesting consideration of a local law regarding mandatory boat inspections/washing for all water bodies in Warren County.

Mr. Monroe advised that during the Legislative & Rules Committee meeting, Mr. Strainer had apprised of a report he had seen on YNN TV regarding an initiative put forth by an Assemblyman from Fishkill, NY and a Senator from Rhinebeck, NY trying to gather support for a constitutional amendment which would prevent the State of New York from continuing to pass down unfunded mandates to the Counties and Towns of New York State. He said he felt this was something Warren County should support and noted that additional information was being gathered on the issue for further discussion at a future Committee meeting.

Regarding the July 29th meeting of the Gaslight Village Ad Hoc Committee, Mr. Monroe advised Mr. Tennyson had reported they were ready to release the bid for construction work on the Festival Space portion of the project and he had requested authority to award the construction contract to the lowest responsible bidder subsequent to the bid opening, and the Committee approved the request, based on the time constraints associated with the construction work. He noted this action was represented by proposed Resolution No. 439, *Awarding Bid and Authorizing Agreement with Lowest Responsible Bidder for Festival Space at the Charles R. Wood Park (Phase 1) (WC 14-13)*. Mr. Monroe said discussion was also held regarding the slow reimbursement rates associated with the grant monies provided for the

construction work which would likely cause cash flow issues. He said it seemed the fairest means to address this issue would be by sharing the cash flow burden based on the percentage of ownership of the former Gaslight Village Property. Mr. Monroe advised that no decisions had been made on this issue so far, as the matter was being reviewed to determine the legality of the proposal. Mr. Monroe apprised that the Park Operations & Maintenance Committee had also met on July 29th, during which they had considered a proposal from the Village of Lake George to perform all of the maintenance associated with the Charles R. Wood Park for a flat fee; he added that this proposal was still being considered and no action had been taken. Mr. Monroe concluded that they had also talked about the Park Rules and Use Permit for the Charles R. Wood Park, but it was determined that the Town and/or Village of Lake George would need to pass local laws to adopt these regulations.

In response to a request from Chairman Geraghty, Mr. Monroe provided an update on the APA's (*Adirondack Park Agency*) classification of the former Finch, Pruyn & Co. timberlands property which had recently been acquired by the State of New York. He apprised he had attended an APA meeting held during the prior week where staff had reported on all of the factors that would attribute to the land classification; he added his opinion that the classification would have an impact on the area, specifically for those sportsmen with hunting/fishing cabins near the former Finch lands which encompassed 22,000 acres in total. The most troubling aspect of this matter, Mr. Monroe noted, was that although the APA was only required to determine a classification for the newly acquired Finch lands, they proposed to go far beyond those boundaries and re-classify another 20,000 acres of property in a manner that would effectively block trails that were needed to reach Indian Lake, Minerva and Newcomb. He commented that he had attended five of the eight public hearings regarding the classifications and in each, the sentiment had reflected overwhelming support for a "wild forest" classification which would allow motorized vehicle access and public use of the property; however, when APA staff made their presentation it was very clear that they were moving towards a "wilderness" classification which would prevent property use. Mr. Monroe stated that several letters of complaint had been forwarded to Governor Cuomo who had publicly stated he was in favor of a classification that would allow public accessibility and motorized vehicle use. He concluded that the next meeting would be held in September to report on all of the comments received and he said he believed the vote on the classification had been delayed until October. Mr. Monroe commented that they were not opposed to the delay and felt a decision on the issue should be postponed as long as necessary to ensure the correct classification was assigned. Chairman Geraghty relayed his concern that if the APA decided to adopt the "wilderness" classification they seemed to be in favor of, they would be clearly moving in a direction against the wishes of the local municipalities who saw this property as a means to improve the regional economy.

Mr. Conover commended the Legislative & Rules Committee for their referral to the Invasive Species Sub-Committee to express concerns for all of the water bodies in Warren County. He said this was one of the primary issues facing not only the regional environment, but also the regional economy and he hoped the two Committees could work together to implement a more expansive strategy for addressing the problems in 2014. Mr. Conover commented that the Invasive Species Transport Law was a good start to address the problem, and they had been joined in this effort by two neighboring Counties that had adopted similar laws; however, he continued, they needed to look at this issue more closely to evaluate how effective efforts to date had been to communicate and regulate this problem.

Mr. Dickinson commented that thus far, only aquatic invasive species had been addressed and he felt it would be of benefit to include all invasive species in their overall eradication efforts. He said he had received a number of inquiries from concerned citizens wondering how other invasive species were being handled and he suggested that they consider a means to address these concerns, as well.

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Mr. Westcott commented that in addition to invasive species, there were other water quality issues to consider and he noted that on Tuesday, August 20th at 4:30 p.m. the Fund for Lake George would be hosting an event at Usher's Park aimed at addressing other efforts to maintain the purity of Lake George and he urged his fellow Board Members to attend.

Resuming the agenda review, Chairman Geraghty called for the report by the County Administrator and Paul Dusek, County Administrator, advised he had nothing to report. Moving on to the report by the County Attorney, Martin Auffredou, County Attorney, advised he had two issues to note, the first of which was in regards to the public hearing that would be held by the State Liquor Authority on September 5th at 6:00 p.m. in the Warren County Supreme Court Room to address the requested change in closing times from 4:00 a.m. to 3:00 a.m. for all bars and taverns in Warren County. He said he had yet to receive a final written confirmation of the date and time of the public hearing, but said he would notify the members of the Board of Supervisors if there was any change. The second issue, Mr. Auffredou reported, was with respect to an amendment requested for Resolution No. 421 of 2013, *Authorizing the Warren County Attorney to Retain the Services of an Expert Consultant to Review the Co-Generation Facility at the Westmount Health Facility*, which was approved at the July 19th Board meeting. He noted that Resolution No. 421 authorized him to retain the services of an expert consultant for a fee not to exceed \$7,500; however, in reviewing and discussing the tasks at hand with qualified firms, it had become clear that he would not be able to obtain these services for the amount specified and therefore, he was requesting that Resolution No. 421 be amended to increase the fee authorized to an amount not to exceed \$15,000. Chairman Geraghty pointed out that if the Board Members were in favor of this request, a motion would be necessary to waive the Rules of the Board requiring that a resolution be presented in writing.

Motion was made by Mr. Mason, seconded by Mr. Merlino and carried unanimously to waive the Rules of the Board requiring that a resolution be presented in writing concerning amending Resolution No. 421 of 2013. Mrs. Sady advised this would be Resolution No. 471.

Motion was made by Mr. Conover, seconded by Mr. Monroe and carried unanimously to authorize a resolution amending Resolution No. 421 of 2013, as per Mr. Auffredou's request. Mrs. Sady said this would be Resolution No. 472.

Privilege of the floor was extended to Mike Swan, County Treasurer. Mr. Swan apprised he had recently received a telephone call from a resident inquiring about an automated telephone message they had received which advised the person owed property taxes and if they forwarded the money to this agency, they would be taken care of. He continued that, in fact, the resident had not owed any property taxes and this was actually some sort of scam. Mr. Swan stated that the County Treasurer's Office did not use any type of automated messaging service to notify residents of property taxes owed and he advised anyone with questions about their property taxes should contact his Office directly.

Continuing with the agenda review, Chairman Geraghty called for the reading of communications, which Mrs. Sady read aloud, as follows:

Annual Report from:

1. Warren County Health Services

Capital District Regional Off-Track Betting Corp., May 31 and June 30, 2013 Financial Reports;

NYS Dept. of Civil Service, First Quarter Empire Plan Experience Report for 2013;

Vincent Bono, Chairman of Herkimer County Legislature, thanking the Board of Supervisors for

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hosting the Intercounty Legislative Committee Meeting in July, due to the flooding issues in Herkimer County;

Charles Guerin, Director, The Hyde Collection, thanking the Board for Occupancy Tax Funding to support two of their 2013 exhibitions;

Tom Gebo, correspondence relating concerns about the excessive number of private roadside signs littering highways;

Letter of resignation from Dr. Welch was read into the record.

Moving on to the reading of resolutions, Mrs. Sady advised proposed Resolution Nos. 424 - 469 were mailed. She noted the resolutions relating to the filling of vacant positions were proposed Resolution Nos. 459-461, and unless a roll call vote was requested, all would be approved in the collective vote. Mrs. Sady apprised that a motion was needed to bring proposed Resolution Nos. 423 and 470 to the floor.

Motion was made by Mr. Monroe, seconded by Mr. Dickinson and carried unanimously to bring proposed Resolution Nos. 423 and 470 to the floor.

Chairman Geraghty called for discussion on resolutions and roll call requests; he also requested roll call votes for proposed Resolution Nos. 455, *Declaring Fruehauf Box Trailer Surplus and Authorizing the Sale of the Fruehauf Box Trailer to the Warrensburg Volunteer Fire Company*, 466, *Deleting Taxes on Town of Warrensburg Tax Map Parcel No. 223.7-1-24*; and 469, *Upon Approval of the Warren County Supreme Court Authorizing Warren County to Convey and Transfer Title to a Certain Parcel Located in the Town of Warrensburg to the Town of Warrensburg*, noting that he planned to abstain from all three votes.

With respect to proposed Resolution No. 451, *Authorizing the Appropriation of Funds from the Occupancy Tax Reserve to the Tourism Budget; Amending 2013 Warren County Budget*, Mr. Kenny stated that he was opposed to the use of occupancy tax reserve funds to support the \$150,000 contribution to the Asian Clam eradication effort, and instead, felt they should be using monies from the general fund. He pointed out that \$45,800,000 had been included in the 2013 Budget for anticipated sales tax revenues, while \$49,995,000 had been collected thus far, leading to an excess revenue of approximately \$4.1 million. He added that \$1.6 million had been included in the 2013 Budget for mortgage tax revenue collections, while the Treasurer's Office had conservatively projected a total of \$1.8 million would be collected in 2013, before the \$3 million Montcalm property was posted last week. Between the two, a \$4.3 million budget excess was being estimated, Mr. Kenny stated. He asked that the Board Members reject the proposal to fund the expense from the occupancy tax reserve, and instead use money from the general fund.

Mr. Strainer questioned how much money was currently available in the occupancy tax reserve and Mr. Kenny responded there was a total of \$524,000 and the Treasurer's recommended balance was \$500,000. Mr. Strainer said he believed there was a resolution in place that called for the reserve to remain above \$500,000 and Mr. Kenny responded that resolution had been rescinded.

Mr. Dickinson stated that this issue was very important to him and he could not conceive how anyone could argue against using occupancy tax funding in an effort to save Lake George. He commented that the sum of money being requested was not that large and he noted it was his hope that occupancy tax and general fund monies would be attributed to the line item created for invasive species eradication

in future budgets so that such requests would not have to be made. Mr. Dickinson concluded that he did not see a valid reason to reject proposed Resolution No. 451.

Mr. Mason commented that he felt it was appropriate to take the money from the general fund and added that the original funding request was for \$300,000, which he had not found unreasonable. He said he supported Mr. Kenny's suggestion and felt the amount of funding provided should be raised to \$300,000. Mr. Mason stated that he also agreed with Mr. Dickinson in that it would be appropriate to use some funding from the occupancy tax reserve fund to support this cost, but he felt that the matter should have been referred to the Occupancy Tax Coordination Committee for review and discussion before making a final determination on the source of funding. Mr. Dickinson stated that a compromise might be in order and he suggested that \$150,000 be contributed from the occupancy tax reserve and another \$150,000 from the general fund.

Mr. Merlino said he agreed with Mr. Kenny on this issue. He stated the towns located around Lake George typically received a large amount of occupancy tax funding while smaller towns received lesser amounts. He continued that the Town of Lake Luzerne had estimated a cost of \$100,000 to clean up the milfoil problem in Lake Luzerne through a hand harvesting procedure, with lower amounts for maintenance in following years. He advised that a chemical deterrent applied in one corner of Lake Luzerne five years ago had garnered good results which had been maintained; however in the rest of the Lake the milfoil was growing faster than it could be hand harvested and was now growing on the top of the lake. Mr. Merlino stated this was a very difficult problem which the Town of Lake Luzerne could not afford to address, due to hand harvesting costs and the inability to use chemical applications in light of the regulations imposed by the APA, NYSDEC (*New York State Department of Environmental Conservation*) and the NY State Department of Health. He opined that if funding was going to be contributed to these problems, the money should come from the general fund, and he said that they might have to consider establishing taxing districts for the areas surrounding water bodies which received the most benefits, such as the larger businesses located around Lake George. Mr. Merlino concluded that he did not believe it was appropriate to raid the occupancy tax reserve fund to support the invasive species project costs.

Mr. Loeb said he believed that in prior years, when alternate funding sources had not been available, it had been appropriate to dip into the occupancy tax reserve fund to support the costs of the invasive species eradication effort; however, he continued, now that there were surplus funds available in the general fund, he believed the monies should come from that source. Mr. Loeb stated that he also supported funding at the higher level of \$300,000.

Mr. Monroe said he recalled that the original funding request had been for \$300,000; however, he added, that amount had been reduced to \$250,000 based on the \$50,000 combined contribution pledged by the Village of Lake George, and the Towns of Bolton, Lake George and Queensbury. Mr. Conover pointed out that the \$150,000 funding figure mentioned was not an arbitrary figure, but rather the one that Dave Wick, Executive Director of the Lake George Park Commission (*LGPC*), had identified as necessary to commence the eradication project for the remainder of 2013, with the understanding that additional funding would be necessary for removing the mats used to smother the Asian Clams in the spring of 2014. He said it was clear everyone agreed that regardless of the source, the funding was necessary to continue the project and he reiterated Mr. Dickinson's point that it was their hope such requests would not have to be made again as funding would already be included in the 2014 County Budget for this work. Mr. Conover noted he agreed with Mr. Merlino's comments that they needed to start thinking of these issues on a County-wide basis to address invasive species issues in all waterbodies.

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Motion was made by Mr. Kenny, seconded by Mr. Mason and carried by majority vote to amend proposed Resolution No. 451 to indicate the source of funding for the \$150,000 to be contributed towards the Asian Clam treatment program would be a transfer from the general fund unappropriated surplus, rather than from the occupancy tax reserve fund, by a vote of 605 for and 395 against, with Supervisors Conover, Monroe, Taylor, Bentley, Dickinson, Sokol, Thomas, Wood and Geraghty voting in opposition.

Mr. Dusek clarified that a roll call vote would be taken to approve proposed Resolution No. 451 in its amended form, later in the meeting.

With respect to proposed Resolution No. 466, *Deleting Taxes on Town of Warrensburg Tax Map Parcel No. 223.7-1-24*, Mr. Westcott said it had been brought to his attention that of the tax amount identified for deletion, about \$45,000 had already been paid by the County in school taxes and he questioned where those funds would be recovered from if this action was taken. Mr. Auffredou responded this would be addressed through a chargeback to the school and Mr. Swan replied this was a correct assertion. Mr. Auffredou advised that similar actions had been taken for other properties in the past, as well. Mr. Westcott asked if a "chargeback" meant that the funds would be returned to the County and Mr. Swan replied affirmatively.

Regarding proposed Resolution No. 439, *Awarding Bid and Authorizing Agreement with Lowest Responsible Bidder for Festival Space at the Charles R. Wood Park (Phase 1) (WC 14-13)*, Mr. Loeb commented that although he was in support of the resolution, he felt there was a reason why they expected the lowest responsible bidder to be determined before the resolution was presented and he suggested that they be more careful in the future to be sure the correct procedures were being followed when awarding contracts. Mr. Bentley noted the reason for this request was that the construction season was coming to an end very quickly and this action was being taken in an effort to do as much work as possible before the close of the 2013 season.

As there was no further discussion, Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 423 through 472 were approved (*Note: Resolution No. 451 was approved in its previously amended form*).

Chairman Geraghty called for announcements. Mr. Girard thanked Mr. Mason for notifying him of an article in the *NY Times* regarding the Georgia O'Keefe exhibit at The Hyde Museum. He said he believed some of the increased attendance at The Hyde could be attributed to the article.

Mr. Strainer reminded his fellow Board Members that the Adirondack Balloon Festival event was quickly approaching and they would be seeking volunteers to assist with parking. He said he, and many other County staff members, had volunteered their time to assist with the parking direction; he added that the experience had been enjoyable and provided a first hand view of the workings of the DPW and Airport crews during these events. Mr. Strainer encouraged anyone available to volunteer their time for this years event, as it was a great way to save taxpayer money.

Mr. Montesi announced that in September, the Queensbury High School would be sponsoring 40 cross-country running teams for a two-day event, and in November they would also sponsor the cross-country state championships for both boys and girls, which was projected to bring 500 to 600 students and their families to the area. He noted that the Town of Queensbury had contributed some of their occupancy tax funding to these events because they believed both represented an increase in area tourism. Mr. Montesi advised the Town of Queensbury was working with the City of Glens Falls on a sewer extension to the Carey Industrial Park located in Queensbury at Northway Exit 18. Finally, he

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announced that the Town of Queensbury was trying to obtain a \$100,000 grant for a map plan and report zeroing in on the homes located in the Dunham's Bay area of Lake George. He said diving exercises had been performed in front of the homes to determine where algae was growing, while other volunteers had performed extensive documentation research in an attempt to determine where underground sewage facilities had been placed in these areas. Unfortunately, Mr. Montesi noted, they found that no records were available for about half of the homes in the Dunham's Bay area. He stated the Town of Queensbury found this to be a very important project, as did many of the residents who were signing a petition to try and help gain approval of the grant application.

Mr. Vanselow advised later that day the 10th Annual Upper Hudson Blue Grass Festival would begin in North Creek. He said this was a fun event and he invited everyone to attend.

Mr. Westcott announced that, in light of persistent requests from residents of Warren County, he intended to hold an informational night meeting on August 22nd at 7:00 p.m. at the Queensbury High School to continue discussion on the future of the Warren County Airport, as a followup to the evening County Facilities meeting held on July 8th. He invited all of his fellow Board Members and said he hoped they would be able to attend.

With respect to recent meetings in Lake George with State Officials, Mr. Mason commented that he was very encouraged by the information provided and said he believed increased awareness and funding would be provided to assist with the invasive species eradication efforts.

Mr. Merlino apprised the South Warren Snowmobile club had finally finished the resurfacing work on the section of the Warren County Bikeway which was damaged due to groomer use during winter months. He noted that, unfortunately, the work had been continuously delayed through the month of July due to inclement weather, but he was pleased to report the work was now done, although there were still a couple of other spots along the area of the Bikeway approved for snowmobile use that the Club intended to address, as well.

Chairman Geraghty announced that a ground breaking ceremony had been held in the Town of Warrensburg earlier that week on a \$9 million health center. He said this was a historic event for the Town of Warrensburg and he advised the new health center would bring a lot of new services to the Town, as well as surrounding communities. Mr. Geraghty stated that representatives from Glens Falls Hospital had attended the event to collaborate with representatives from the Hudson Headwaters Health Network and he said he hoped this effort represented the start of a new beginning in the relationship between the two facilities.

Concluding the agenda review, Chairman Geraghty offered privilege of the floor to any members of the public wishing to address the Board of Supervisors.

Bob Huntz, Town of Queensbury resident, advised that Lake Sunnyside, a private 35-acre lake located in the Town of Queensbury, was presently inundated with milfoil. He said that the Lake Sunnyside Association (LSA) had made great efforts over last twelve years to control the milfoil growth, having applied chemical treatments four times, but it now seemed the milfoil was becoming resistant to those treatments. Mr. Huntz advised representatives of the company that produced the chemical used would be visiting Lake Sunnyside to collect samples and determine why the chemical treatments had become ineffective. In the meantime, he continued, they had decided that hand harvesting was the best way to address the milfoil problem; however, he noted, this would incur a cost of \$50,000 to harvest the entire Lake. Mr. Huntz advised that a taxing district had been developed for the residents surrounding Lake Sunnyside to raise the funds necessary to address the milfoil problem, but they only expected to

raise \$30,000 by the spring of 2014. He commented that the first year of the hand harvesting work was the most expensive, with lower costs for maintenance in subsequent years. Mr. Huntz said the LSA was seeking assistance from the County to provide the remaining \$20,000 they would need for the first year of hand harvesting, allowing them to address the maintenance costs for subsequent years from funds generated by the taxing district. He concluded that they believed the milfoil problem in Lake Sunnyside had been caused by Canadian geese that had brought the milfoil from another waterbody and they did not want the same problem to be caused in elsewhere.

Dean Boecher, Town of Queensbury Resident and President of the Glen Lake Protective Association, advised a taxing district had been established for those people residing on Glen Lake in order to fund invasive species combating efforts. He said an engineering proposal for the Lake cleaning work had suggested a \$200,000 budget, the largest part of which was intended to fund hand harvesting work for milfoil removal; he added that due to the associated costs, they had been unable to complete the hand harvesting work as intended in the original proposal. Additionally, Mr. Boecher noted that the hand harvesting work had to be done in a very careful manner because if even a small piece of the milfoil plant was able to float to the floor of the lake, it was possible for the plant to regenerate itself into a new colony. He apprised that the milfoil in Glen Lake was growing much quicker than anyone could have anticipated and he advised that following hand harvesting in a prior year, only weeks later the milfoil had returned at an increased rate. Because Glen Lake was located outside of the Adirondack Park area, Mr. Boecher stated that they had more opportunities to apply chemical treatments to address their milfoil issue and he invited any members of the Board of Supervisors interested in touring the Lake to join him to see the results they had achieved by using chemical applications in concert with hand harvesting techniques. In closing, he reiterated that hand harvesting had the potential to become very expensive and cause considerable budget inflations.

Mr. Montesi advised that the Town of Queensbury had previously been involved in the cleanup efforts for Lake Sunnyside since 2002, providing about \$20,500 for the effort. He said that in recent years, the Town had requested the creation of a taxing district for the Lake Sunnyside residents in order to address the costs associated with milfoil removal in light of the fact that there was no public access to the water body and therefore continued expenditure of Town funds to address milfoil issues might have been met with public criticism. Mr. Montesi stated he was aware that the LSA intended to address the Queensbury Town Board at their next meeting, but said he was unsure whether any assistance could be provided based on the restrictive nature of the access to the Lake. He continued that over the past years the Town of Queensbury had contributed \$75,000 to clean up efforts for Glen Lake, before asking those residents to create a taxing district, as well. Mr. Montesi stated that the Glens Lake taxing district was working well and he estimated each resident was contributing approximately \$197 per year. He concluded that he agreed with prior comments made by Messrs. Merlino and Monroe that as the Board of Supervisors continued to discuss solutions for the invasive species issues in Lake George, they should also consider the other water bodies in Warren County, as well.

Travis Whitehead, member of the UNYTA (*Upstate NY Taxpayers Advocates*), submitted a complaint with respect to a change in the date and time of the last County Facilities Committee meeting which was changed from July 29th to July 25th. He maintained that insufficient notice had been provided regarding the schedule change, making the July 25th County Facilities Committee meeting an illegal meeting and he requested that all action taken during the meeting be invalidated. Additionally, Mr. Whitehead stated that if he was forced to remedy this situation in Court, he would seek restitution from the County for any legal fees incurred. *A copy of Mr. Whitehead's complaint is on file with the meeting minutes.* Chairman Geraghty thanked Mr. Whitehead for his submission and said the Board would take this information under advisement.

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With respect to Governor Cuomo's "Adirondack Challenge" white water rafting race which was held on July 21-22, 2013, Mr. Monroe said Governor Cuomo should be commended for these efforts as they had resulted in nationwide media reports, drawing tremendous attention to the Adirondack region and hopefully leading to a boost in area tourism.

Dr. Fredd Senser Lee, PhD, Founder of Botanical Blossomings on the Bikeway-USA, provided an update on his project, noting that he was now working on the Zim Smith Bike Trail located in the Village of Round Lake, NY. He apprised that the Village of Round Lake was holding an arts and crafts festival over the upcoming weekend and he invited everyone to attend the festival and then visit the Zim Smith Bike Trail to see his work.

With regard to Mr. Whitehead's submission, Mr. Westcott stated that the Open Meetings Law was very important. He commented that while he did not feel the meeting change was made intentionally to prevent any Committee Member from attending, there were actions taken during that meeting which were crucial to many parties interested in the future of the Warren County Airport. Mr. Westcott noted that a proposal submitted by one member of the Committee had been discussed and dismissed without any comment from the proposer because he had been unable to attend, and in addition, that Committee Member was publicly criticized for his absence. He added that there were also several members of the public who intended to attend the meeting but had been prevented from doing so by being unable to change their schedules on such short notice. Mr. Westcott advised that he had planned to announce the second informational night meeting he had scheduled for public attendance and comment at that meeting and gather the Committee's input, and that had not been possible.

Mr. Bentley announced that the community of North Warren would hold their Bicentennial celebration on August 24th with a parade and historical exhibits at the fairgrounds in Pottersville, NY, followed by fireworks at dusk.

Terry McCabe, Town of Queensbury Resident, noted that a response had yet to be provided as to whether FAA (*Federal Aviation Administration*) funding would have to be returned if the runway expansion project was not completed and she asked whether a determination on this issue had been made. Mr. Dusek responded that he had intended to confer with Mr. Auffredou on this issue but had not yet done so. He said this was a complicated issue that he and Mr. Auffredou would need to research and discuss and he suggested that the matter be addressed at the next County Facilities Committee meeting.

With respect to the Warren County Airport, Mr. McDevitt stated that he supported Airport operations and believed them to be a contributing factor to the quality of life and infrastructure of the area which would ultimately lead to job creation in Warren County. He continued that he also believed under Mr. Bartholomew's directorship, the EDC would become a determining factor for future job creation in Warren County. Mr. McDevitt stated that over the last four to five years, the Board of Supervisors had been extremely careful with expenditures and he said he did not believe the funds being expended on the Airport were wasteful, but rather thoughtful and important, ultimately leading to job creation.

There being no further business to come before the Board of Supervisors, on motion made by Mr. Strainer and seconded by Mr. Mason, Chairman Geraghty adjourned the meeting at 11:43 a.m.