

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, APRIL 20, 2012**

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. Daniel G. Stec presiding.

Salute to the flag was led by Supervisor Loeb.

Roll called, the following members present:

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

Motion was made by Mr. Taylor, seconded by Mr. Vanselow and carried unanimously, to approve the minutes of the March 16, 2012 Board Meeting, subject to correction by the Clerk of the Board.

Before beginning the meeting, Chairman Stec asked for a moment of silence in honor of Richard Kenny, Supervisor Kenny's brother, who had recently passed away, following which he offered Mr. Kenny condolences on behalf of all members of the Board of Supervisors for the loss of his loved one.

Chairman Stec announced that John Strough and Martha Strodel, representatives of the Warren County Historical Society, were in attendance to speak about the upcoming Rural Heritage Festival. Mr. Strough expounded that the Festival was scheduled to be held on August 11th at the Warren County Fairgrounds property and was aimed at exhibiting the rich history of Warren County through various demonstrations and displays and he advised that every Historical Society in Warren County would be assisting with the Festival in some manner. He noted that the event would also include 4-H presentations, a farmers market, vendors and a chicken barbeque in addition to other types of food, and he said he hoped this would be the first of many Heritage Festivals. Ms. Strodel apprised that the Festival would represent a celebration and education of the rural work and play traditions of Warren County and would be somewhat like a County fair with the focus being on rural traditions such as farming, logging and maple syrup production which were native work traditions for the area that continued to date. Ms. Strodel then introduced Delbert Chambers, member of the Town of Warrensburg Historical Society, who was in attendance to extend an invitation to the members of the Board of Supervisors. Mr. Chambers apprised of the Sticky Wicket Croquet Games and Picnic which the Town of Warrensburg Historical Society held as an annual fundraiser. He continued that the rules for the Sticky Wicket tournament were patterned after the European croquet game, but modified slightly to allow for individual play, rather than traditional two-person team play. Mr. Chambers stated that the event was very well received over the past 15 years and they had been asked by the Warren County Historical Society to hold an exhibition game at the Rural Heritage Festival. He said they were very excited to appease this request and were currently gathering a group of past tournament winners to play at the event. Mr. Chambers added that they would also extend an invitation to the members of the Board of Supervisors to join this competitive tournament and he said he would forward an email to each Board member with the pertinent details.

Pam Vogel, County Clerk, addressed the Board, speaking as representative for the Warren County Bicentennial Committee. She pointed out Resolution No. 232 of 2012, included in the resolutions distributed to the Board members, which would name the Black Eyed Susan as the Warren County Bicentennial Flower. Mrs. Vogel advised this flower had a long standing botanical history in Warren County and would be a fitting tribute to

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the event. She noted that they intended to integrate the Black Eyed Susan into their Bicentennial programs and materials, as well as to introduce the flower through school programs. In conclusion, Mrs. Vogel thanked the members of the Board of Supervisors for their support of the Bicentennial Committee and Chairman Stec responded by thanking Mrs. Vogel for her efforts.

Chairman Stec announced that Dave Wick, who was in attendance, would be leaving his position as District Manager of the Soil and Water Conservation District to accept a position as Executive Director of the Lake George Park Commission; he commended Mr. Wick for his past work with the Conservation District and said he wished him the best in his new position. Mr. Wick thanked Chairman Stec for his comments and he noted that although the Conservation District had been created by the Warren County Board of Supervisors in 1956, it was not truly a County Agency, but had always operated as if it were. He said that in prior years, the Conservation District had encountered financial difficulties which the Board had assisted with and he said he felt the District had responded in kind, providing assistance wherever necessary. Mr. Wick stated that he had served as District Manager since 1993 and had continuously maintained an excellent working relationship with the County, which he hoped would be extended to his replacement, Jim Lebrum, and carried over to his new position; he added that the Lake George Park Commission was facing some big issues which he hoped to resolve with the assistance of the County and other surrounding municipalities. Mr. Wick extended his best wishes to Chairman Stec in his bid for the Assembly, stating that he felt Chairman Stec would do very well. Speaking as Chairman of the Board of Directors for the Soil and Water Conservation District, Mr. Thomas stated that the District had not always maintained the current level of expertise which allowed them to incorporate top level stormwater innovations in their operations, due in large part to Mr. Wick's contributions and management. Mr. Thomas thanked Mr. Wick for all of his past efforts and said he wished him the best in his new position.

Chairman Stec reminded the Committee members that submission of affidavits and activity logs for retirement reporting purposes must be submitted to the Clerk of the Board's Office no later than May 7th in order for the appropriate resolution to be prepared for the May 18th Board meeting.

Resuming the agenda review, Chairman Stec declared the Public Hearing on proposed Local Law No. 4 of 2012, entitled "A Local Law Repealing Local Law No. 12 of 2006 - A Local Law Establishing a Department of Human Resources in Warren County" open at 10:25 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. 4 of 2012, entitled "A Local Law Repealing Local Law No. 12 of 2006 - A Local Law Establishing a Department of Human Resources in Warren County".

Chairman Stec declared the Public Hearing on proposed Local Law No. 5 of 2012, entitled "A Local Law Amending Local Law No. 3 of 1971 - A Local Law Establishing the Department of Personnel and Personnel Officer in the County of Warren" open at 10:26 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. 5 of 2012, entitled "A Local Law Amending Local Law No. 3 of 1971 - A Local Law Establishing the Department of Personnel and Personnel Officer in the County of Warren".

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There being no comment on either proposed Local Law, Chairman Stec declared both Public Hearings closed at 10:29 a.m.

Chairman Stec declared the Public Hearing on proposed resolution entitled "Amending Resolution No. 298 of 2005 - Authorizing Increase in Real Property Tax Exemption Limit for Persons Sixty Five (65) Years of Age or Over in Combination with Sliding Scale of Increment Levels of Exemption" open at 10:30 a.m. and requested the Clerk read the Notice of Public Hearing for the Record.

Clerk read the Notice of Public Hearing on proposed resolution entitled "Amending Resolution No. 298 of 2005 - Authorizing Increase in Real Property Tax Exemption Limit for Persons Sixty Five (65) Years of Age or Over in Combination with Sliding Scale of Increment Levels of Exemption".

Chairman Stec apprised it had been seven years since the County had last modified the income limits for the senior real property tax exemption, and he said it had been much longer since the Town of Queensbury had last taken action on the issue. He reminded the Board members that a change in the exemption limits would affect only the County portion of the property tax and would have no impact on the Town or School portions; he clarified that although both the Towns and Schools could take action to implement similar exemption limits, they were not obligated to do so. Chairman Stec stated that due to the number of complaints from senior citizens who no longer qualified for the tax exemption due to the recent increase in Social Security benefits, the Town of Queensbury had unanimously voted to increase the exemption limit to \$29,000, as proposed by Resolution No. 251 which was included in the resolution packet. He noted that a public hearing on the matter had been held at the Town level where no negative public comments on the issue were made. Chairman Stec reminded the Board members that during the prior Board meeting limited discussion on the issue had been held indicating that while there was broad support for an increase in the exemption limit, not everyone was comfortable with the \$29,000 limit proposed.

Deanne Rehm, Assessor for the Town of Lake Luzerne, distributed information she had previously prepared for Mr. Merlino's review to the Board members; *a copy of the handout is also on file with the minutes.* Ms. Rehm proceeded with an in depth review of the information distributed, during which she pointed out that although it was not mandatory for the Towns to adopt the same exemption limits as the County, the Town of Lake Luzerne had traditionally done so as it made the tax billings easier for the Town taxpayer to comprehend. She said it was important to note that for every million dollars the Town of Lake Luzerne lost in assessment value, one penny was added to the tax rate; she added that while this did not seem like a considerable increase, she would submit that every year the Town Board struggled to maintain and establish their annual budget to include an amount that would not lead to a tax increase. Ms. Rehm advised that adopting the resolution increasing the tax exemption would raise that tax rate at the Local level as much as \$.03.

The senior tax exemption allowance was a measure offered by the State which provided a mechanism to assist the elderly population by reducing County, town and school taxes in accordance with specified income limits, Ms. Rehm stated. She said the State reviewed and revised the exemption allowance regulations and limits every five to seven years in order to maintain appropriate income figures; however, she added, neither the local municipalities or the schools were obligated to offer the exemption. Ms. Rehm advised that once implemented, the Town Assessors served as the "gatekeeper" for the exemption as they were charged with reviewing all applicable income and residency data to determine who was eligible for the benefit. She advised that when the exemption limits were last revised in 2005, the number of eligible persons in the Town of Lake Luzerne doubled. Ms. Rehm cautioned the Board members that allowing this exemption did not eliminate the need for the tax to be paid, it simply shifted the burden

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to other taxpayers. She noted that raising the exemption limit to the proposed \$29,000 income threshold would cause an estimated \$5,448 in tax payments to shift from the eligible elderly population to the remaining Town taxpayers and she estimated the results at the County level to be in the area of \$140,000 to \$200,000.

Ms. Rehm noted that following a State-wide review, the State of New York had determined that an increase in the income level for the real property tax exemption up to \$29,000 was allowable; however, she noted, this figure was not appropriate for Warren County. Instead, she said she would propose a compromise that would allow the income level be raised to \$24,000, which would reduce the amount to be shifted to approximately \$40,000. Ms. Rehm counseled that even if the increase were approved on that day, it would not become effective until January of 2014. She advised that the dollar amounts to be shifted to other taxpayers were based on estimates as income information was not available for all taxpayers, only those who had previously applied for the exemption status. Ms. Rehm stated that when developing the 2012 Budget, the Board of Supervisors had agonized over their ability to determine a source of funding to retain the County mealsites at a cost relatively close to that which would be transferred to other taxpayers if the exemption were allowed; she added that if the Board decided to allow an increased exemption at the \$29,000 income limit, she had no doubt that they would encounter other budgetary issues when trying to maintain a minimal tax increase while still accounting for the increase to taxpayers not eligible for the exemption. Once again, Ms. Rehm asked the Board members to keep in mind that when allowing an increased benefit to the elderly population they would be increasing the tax burden to the remaining taxpayers of Warren County.

Chairman Stec stated that he had followed Ms. Rehm's projections and agreed with her assessment that the total County level would not change through the proposed exemption increase, although they would be altering how it was acquired. Additionally, he said he would agree that increasing the tax exemption limit to \$24,000, rather than \$29,000, would reduce the amount of tax to be shifted to the remaining taxpayers to an amount in the neighborhood of \$40,000, which he felt was inconsequential as the total represented approximately 1/10 of 1% of the County's \$38 million budget. He concluded that he was open to the compromise proposed and he thanked Ms. Rehm for her research and the documentation provided.

Ms. Rehm pointed out that a person eligible for a 5% tax exemption would save approximately \$27 to \$30 per year, which was not a huge benefit. Chairman Stec countered that although the benefit to the taxpayer might seem insignificant, it helped the County and Towns to capture income data that will assist with impact projections when making determinations on future exemption limit changes. Ms. Rehm responded that while this was an excellent point, once the limits were changed to allow an exemption level as low as 5%, it was unlikely that it would ever be rescinded. Additionally, she noted that retired people were apt to have more valuable homes and she cited that the typical assessed value for an aged homeowner in the Town of Lake Luzerne was in the \$100,000 range, while she had noticed there were some homeowners receiving the reduced tax rate benefit in the Town of Queensbury whose homes were valued in excess of \$750,000.

Johns Hodgkins, resident of the Town of Queensbury, spoke in opposition to the exemption increase based on his research which indicated that 17% of Warren County's population was over age 65, with the average retired income being \$21,500, as per census information. Additionally, he noted that New York State had the fifth highest property taxes in the nation and Warren County's spending had doubled over the past fourteen years, rising at triple the rate of inflation; he advised that over the past five years his personal property taxes had increased over 50%. Opportunity and businesses were leaving New York State, Mr. Hodgkins stated, and he noted that as a small business owner, he had difficulty securing contracts with other companies as they were leaving NY for opportunities in other

States. He said his son would be graduating from college in the near future, and although he would like to remain in New York State, there was not much opportunity to be had. Mr. Hodgkins stated that most wanted to help those in need, but the senior tax exemption program was not intended to assist truly poor or needy seniors, and in a bazaar twist, often took from the poor, the truly needy and the responsible taxpayer and redistributed wealth to those who had substantial assets and guaranteed income. What disturbed him, he said, was that the beneficiaries of the program were not seniors without assets, wealth or income as they owned homes and received income through social security benefits. Mr. Hodgkins stated that a homeowner with a \$1 million home, who collected social security benefits, would qualify for the full exemption; he said the design of the program allowed relief for runaway property taxes, but only to those with wealth and financial security, and did nothing to lower taxes for responsible property owners or assist the most needy. There was a long list of property owners who would pay more if the proposal was approved, he said, and a vote in favor of the proposal would be a vote in favor of raising taxes for young families starting out with student loans, large mortgages and young children, as well as for middle aged homeowners struggling with the current economic realities, senior citizens that adequately prepared for retirement or made decisions to downsize to a home they could afford, and for businesses. Mr. Hodgkins stated that one of the largest expenses to his business was for property taxes and he said he paid \$1,000 per employee for property taxes alone. Increased property taxes would also affect rental rates, he said, regardless of the age of the renter. He commented that the County, schools, libraries, fire departments, etc. continued to raise taxes "a little bit" but those amounts added up to a large sum at the end of the day. In conclusion, Mr. Hodgkins stated that as property taxes continued to rise, businesses were being driven out of the State, young families and children must leave and the primary source of income has become government agency checks, which made Warren County a sinking ship; he added that redistribution of tax payments was not the answer, but rather a change in the culture of spending. He said he commended the County on the reduction in Departments and spending as the simplest way to reduce property taxes was to hold Department Heads accountable for spending and vote against increased budgets, capital projects, and especially the senior tax exemption.

Lara Currie, Town of Queensbury resident, stated that she was also a small business owner, and while she was sympathetic and concerned about the aged population, she was also sympathetic to the plights of other residents suffering with unemployment and low income in the area. She said there was a considerable percentage of the population having difficulty meeting their mortgage and rental expenses already. In terms of the County Budget, Ms. Currie commented that she was in favor of reduction and would welcome a more holistic approach to the budget establishment process by including tax caps and providing the community with the ability to attend public budget sessions, especially if they could be held in the evenings after working hours.

George Winters, Town of Queensbury resident, stated that the Board needed to make better efforts to reduce the budget as a whole and settle upon better business decisions for the County. He pointed out several poor business decisions which he perceived to have led to increased spending on the part of the County such as constructing the Human Services Building on the Municipal Center Campus, instead of rebuilding at the site of the former Social Services Building in order to harness the full capacity of the co-generation facility, the purchase of new Sheriff's Patrol cars that did not receive the same mileage as the previously purchased models, negotiations that had led to paid administrative leave for the former Commissioner of Social Services and paid insurance for County employees. He said there were a number of items that could be reduced in the County budget to assist all taxpayers.

Doug Beaty, Town of Queensbury Resident, stated that he was concerned with the precedent the increased tax exemption limit would set which he perceived would put added pressure on the County's school systems to adopt similar limits, regardless of the levels selected. He noted that student enrollment in the Queensbury school system had consistently declined over the past seven years, due in part to increasing property taxes which discouraged young

home buyers from moving to the area. Mr. Beaty said the State of New York was one of the highest taxed states in the Country and he questioned when the increases would stop. In conclusion, he advised that while he was respectful of the County's aged population, he felt it was important to speak against the increase as although it would represent a minor savings to some taxpayers, there would be an increase to many.

John Mandwell, Town of Queensbury Resident, noted the exemption status was based on the income of qualifying homeowners, but did not take into consideration the additional household income that might be provided by other dwellers in the home. He further noted that the exemption did not account for the significant resources held by qualifiers for the exemption due to the value of their properties. He said that adding consideration of total household income and property values to the eligibility determination process could assist in lessening the impact to other taxpayers while still providing exemption status for those who needed it.

Chairman Stec advised that while there were a few seniors receiving exemptions that owned high valued properties, the majority did not and he advised that they were bound by the rules imposed by the State in terms of how the exemptions were determined. He added that while it would be helpful to know the total household income information, State guidelines prevented them from attaining it as they were only permitted to consider the income of the property owner(s).

Sean Garvey, of the Garvey Auto Group, began by thanking the members of the Board of Supervisors for their dedication to their positions and opined that they were not sufficiently compensated for their efforts. Continuing, Mr. Garvey pointed out that the County Budget had doubled over the last decade due to small incremental tax increases imposed. He said he could easily afford to pay much more in taxes than he did currently, but felt it was time for the Board to stop spending, stop increasing taxes, stop all capital projects, freeze the tax rate and implement a plan to reduce the size of the local government and the amount spent.

As there was no further public comment to be heard, Chairman Stec called for comments from Board members. He began the comment session by apprising that the reason the County Budget had increased significantly over the past ten years was because the State had begun requiring that they include major passthrough funds, such as the sales tax distributed to the Towns, as well as unpaid school taxes, which represented a combined total of close to \$28 million that was not previously included in the Budget. He clarified that these were not actual increases to the budget as they had always been paid, this was just a change in accounting procedure. Chairman Stec advised there were a number of passthrough type funds included in the Budget that did not represent actual costs to the County taxpayer and a more accurate accounting method would be to list the total levy, plus the appropriated fund balance. He added that there were also unfunded State mandates to be considered as they were continuously transferred from the State to the local governments, causing budget increases.

Mr. Kenny stated that he felt the \$29,000 income limit proposed was skewed by the larger metropolitan areas of the State and he agreed that Ms. Rehm's suggestion to lower the limit to \$24,000 made sense. He noted that the \$29,000 limit would mean a total household tax increase of approximately \$3.00 per year in the City of Glens Falls and he said he assumed the \$24,000 income level would decrease that figure to below \$2.00 per household annually, further mitigating the responsibility. He concluded that he was supportive of raising the income limit to \$24,000, as proposed.

Chairman Stec noted that a revised version of Resolution No. 251 listing a \$24,000 income limit had been prepared in anticipation of the Board's inclination to alter the limit, copies of which were distributed to the Board members. He said he felt the exemption limit increase was appropriate and would assist the senior population that had paid their share of taxes for the majority of their lives.

Mr. Monroe said that Mr. Mandwell had made a very good point about the unintended consequences of the senior tax exemption which might allow certain persons to qualify regardless of the fact that there was additional income and liquid assets in the household, and he questioned whether the exemption qualifications could be changed to account for this occurrence. Martin Auffredou, County Attorney, apprised that they were confined by the rules of the State which did not allow the ability to review these additional income sources. Ms. Rehm added that they were only permitted to review the incomes of the property owner and spouse, but were not allowed to review incomes of persons residing in the home who were not married to the property owner, nor were they able to seek out income information for IRA or other similar accounts which were not considered to be income. She concluded that the income designations and parameters were outlined by the State and the County was confined by them; she added that she was unsure whether anything could be done at the County level to change the exemption procedures. Mr. Monroe advised that he was comfortable with the revised resolution listing the \$24,000 income limit.

Mr. Merlino stated that although he was in favor of senior benefits, he felt they should table this issue for a year to determine whether taxes could be reduced at the Town level as that would assist the aged population more than the tax exemption would. He continued that he anticipated a difficult budget year and the efforts to increase the senior tax exemption would require a lot of work to save a relatively small amount of money for each qualifying senior.

Mr. McDevitt advised that he was in support of the \$24,000 limit proposed and he thanked Ms. Rehm for the documentation she had prepared which had proved to be very informative. He commented that over the last 12 years the entire Country had faced a neutral job creation, and the situation was not unique to New York State or Warren County. Mr. McDevitt said the incremental costs of senior citizens entering nursing homes or accessing social services benefits were very expensive and he felt that the most cost effective and moral approach was to keep senior citizens in their homes as long as possible.

Mr. Conover noted the tax exemption schedule offered varying discounted percentages, ranging from 5% to 50%, based on income and he questioned whether it might be sensible to use the 20% limit as the lowest discount offered, thereby eliminating the 5%, 10% and 15% levels. Chairman Stec responded that removing these levels would not make a significant change in the amount of tax to be transferred and might cause irritation amongst the seniors who no longer qualified due to the removal of certain income limits. Additionally, he advised that the tiered limit levels provided an excellent opportunity to secure income data from the aged population through the exemption application process, allowing the availability of more information to be used when determining if future exemption limit increases should be made.

Mr. Mason thanked Ms. Rehm for the documentation provided, noting that it had been very helpful. He stated that he was very supportive of the tax exemption for the senior population as they represented a valuable portion of the community. He added that his only question on the matter had been with the exemption income limit and he felt that a favorable compromise had been reached with the \$24,000 limit suggestion. To address the other issues poignantly stated by the public speakers, Mr. Mason stated that they needed to hold the line at budget time

to address the concerns about reducing the size of local government.

Mr. Westcott stated that he could support the \$24,000 income limit, but would have preferred that Ms. Rehm's documentation be verified by the County Administrator before voting on the issue. He also thanked Ms. Rehm for the information provided. Mr. Westcott commented that the only drawback to the initiative was the slight tax increase to other taxpayers in Warren County and he said he wished this could be done in a manner that could provide relief through a rebate or tax cut paid for from County budget savings, rather than by other taxpayers. Mr. Westcott acknowledged the public speakers, thanking them for the comments and stating his appreciation for their participation.

Mr. Taylor noted he was concerned about another segment of the population consisting of disabled persons who might be affected by the tax increase. He said he was also concerned about people with other resources available that were receiving benefits unjustly. Mr. Taylor stated that while he would likely vote in favor of the resolution with the \$24,000 exemption limit, he also agreed with Mr. Merlino's suggestion that the matter be tabled in order to determine whether the exemption qualification guidelines could be challenged to include other reportable income or assets. Chairman Stec said that while he understood and appreciated Mr. Taylor's concerns, he would submit that the regulations imposed by the exemption qualifications were not being changed, simply the threshold limits for qualifications. He added that the confining regulations imposed by the State could not be changed. Mr. Auffredou interjected that the only way to change the qualification process would be to seek action to change the associated legislation, which would be very cumbersome; he continued that while the regulatory changes suggested were a good idea, they were constrained by the allowances provided by the State.

There being no further comment on the proposed increase to the real property tax exemption limit, Chairman Stec closed the Public Hearing at 11:36 a.m.

Motion was made by Mr. Dickinson, seconded by Mr. Bentley and carried unanimously to replace the version of Resolution No. 251 of 2012 included in the resolution packet with the alternate version distributed in order to change the proposed increase in the real property tax exemption limit from \$29,000 to \$24,000.

Chairman Stec advised the next item on the Agenda pertained to his reports. He apprised that on the following day he and Mr. Westcott would be traveling to Albany to participate in a mandate relief rally. Chairman Stec thanked Mr. Westcott for his leadership on this issue and noted that both he and Mr. Westcott would be speaking on the need for mandate relief, as would other elected officials and advocates for the issue which was very important. He cited that about 57% of the County's \$38 million levy was comprised of mandated programs and if the State would either reassume responsibilities, or preferably eliminate the need for the expense, the levy and tax rate could be cut in half.

Chairman Stec called for reports by Committee Chairmen on past month's activities or meetings and the following gave verbal reports: Supervisor Bentley, Public Works and Criminal Justice; Supervisor Strainer, Human Services; Supervisor Sokol, Health Services; Supervisor Thomas, Finance; Supervisor Wood, Public Safety; Supervisor Conover, Personnel; Supervisor Monroe, Gaslight Village Ad Hoc; Supervisor Girard County Facilities and Extension Services; Supervisor McDevitt, Mental Health; and Supervisor Taylor, Support Services.

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Mr. Bentley announced that both the Public Works and Criminal Justice Committees had met during the past month, approving seven Public Works related resolutions and two Criminal Justice which were included in the agenda packet and he encouraged the Board members to support them.

Although he said he had no Committee related business to report, Mr. Merlino apprised that the Town of Lake Luzerne had passed a resolution supporting a ban on the sale of synthetic marijuana in Warren County as indicated by the introduction of proposed Local Law No. 6 of 2012 which was outlined in Resolution No. 257, included in the resolution packet.

Mr. Stainer commented that the Human Services Committee had met, although no resolutions had been approved. He pointed out that a pamphlet had been distributed to each of the Board members outlining the Employment & Training Administration's Summer Youth Employment Program which provided assistance to disadvantaged youth; he added that this was a good program and he hoped that each of the Supervisors would be able to attend the annual program picnic to see a first-hand accounting of the benefits provided. Mr. Strainer then noted that he had attended a meeting of the Advisory Council for the Warren-Hamilton Counties Office for the Aging which had been held in the Town of North Creek, during which they had discussed how they could better serve the senior population while saving money.

Mr. Mason noted that he had nothing to report, but questioned the dates listed in Resolution No. 216, Authorizing an Agreement with the Village of Lake George for Law Enforcement Services; he noted that the resolution listed the services as being for the months of May, July and August through September 2nd and he asked if the month of June should be included. Joan Sady, Clerk of the Board, responded that the request had been for specific dates, which did not include any in the month of June. Mr. Mason proceeded to comment on Resolution No. 235, Approving Salary Study and Recommended Wage Adjustments and Authorizing Amendment of the County Table of Organization and Relevant Salary Schedules for 2012, Transferring Contingency Fund and Accounting or the transfer of Said Funds to the Appropriate Budget Account Lines and/or Numbers of the Department which have Employees Affected by the Salary Increase, advising that *The Post Star* had recently reported that "the analysis had only looked at salary figures and did not account for pensions or other benefits". He said he had a number of conversations with taxpayers about this statement and although he was unsure it was correct, he had advised that during the upcoming budget process the salary study would be reviewed and revised accordingly. Mr. Mason concluded that if the pension and benefit information was not included in the analysis, it should be, otherwise it was not a complete review.

Referring to the recent Health Services Committee meeting, Mr. Sokol apprised that in the Westmount Health Facility portion, the Committee had approved the filling of two vacant positions, which would derive a savings to the County, and had also discussed and approved a resolution tabled at the prior Board meeting relating to a service contract with P&NP Computer Services, Inc. He said that Westmount staff continued to work diligently to maintain their budget and it was duly noted that overtime costs had decreased approximately 4% in comparison to the prior year. Moving on to Public Health, Mr. Sokol advised the Committee had addressed a Pending Item pertaining to making an inquiry with the New York State Office of General Services to determine whether surplus vehicles could be purchased to supplement the Health Services fleet; however, he noted, they had found that the State would not sell the vehicles to the County because they preferred to sell them on the online auction site Ebay, where they felt more revenues could be received. He said that during a budget report it had been indicated that the salaries portion of the Health Services Department had shown a decrease of over \$25,000 in comparison to the same time

period for the prior year. Returning to the issue of the senior tax exemption issue, Mr. Sokol stated that although he was always interested in assisting the senior and youth population of the County, he agreed with Mr. Merlino's suggestion that Resolution No. 251 be tabled. Additionally, he said they should review the Youth Court program to determine whether additional funding could be provided.

In connection with the Health Services Committee report, Mr. Loeb requested an explanation on Resolution No. 211, Authorizing the Warren County Administrator to make Budget Adjustments for .2, .4, .7 and .8 Codes in the Same Manner as in-Code Transfers Without the Requirement of Committee Approval. Paul Dusek, County Administrator, explained that the Westmount Health Facility faced a continual need to adjust their operating budget for various salary codes, requiring them to bring requests to the Health Services Committee before any action could be taken. He further explained that this request would not provide any additional funding to the facility, it simply allowed them to transfer existing funds with his review and authorization in order to qualify for reimbursements and pay invoices from correct codes, without necessitating Committee approval which delayed the process. Mr. Dusek advised that this had been a continuous problem as it delayed bill payments and these measures would streamline the process and allow expedited payments.

Concerning the Finance Committee, Mr. Thomas noted the resolution packet included eight resolutions approved by the Committee, including Resolution No. 252, Seeking Special State Legislation to Authorize the Sale of the Warren County Fairgrounds Property, and Resolution No. 253, Bond Resolution Dated April 20, 2012 - A Resolution Authorizing the Beach Road (CR51) Reconstruction Project Warren County at a Maximum Estimated Cost of \$7,961,653; Authorizing the Issuance of \$2,600,000 Serial Bond of Said county to pay the Costs Thereof and Authorizing the County Treasurer to Make Temporary Advances of Legally Available Funds. He noted that the \$2.6 million bond would provide the necessary cash flow to start the construction project estimated to cost in excess of \$7 million in anticipation of State and Federal grant funding, as well as the \$600,000 Local Share. Mr. Thomas then pointed out Resolution No. 261, Authorizing the Warren County Sheriff to Purchase Five (5) Patrol Cars and Authorizing the Warren County Treasurer to Transfer Funds from the Contingent Fund; he apprised that initially the Finance Committee had authorized a \$125,000 BAN (bond anticipation note) for the vehicle purchases, but it had later been determined that the monies should come from the Contingent Fund, rather than being borrowed.

Mrs. Wood provided a report on the last meeting of the Public Safety Committee, advising that the most important issue discussed was the completion of the MASK Confidence Building within the specified deadlines that allowed retention of grant funding. She thanked Brian LaFlure, Director of the Office of Emergency Services, and Amy Drexel, Deputy Director of the Office of Emergency Services, for their assistance, as well as Jeffery Tennyson, Superintendent of Public Works, and his staff along with the many firefighters that had volunteered; she added that the Washington County staff and volunteers had also proved pivotal in this endeavor. Mrs. Wood advised that the MASK Confidence Building would be ready to begin training in the near future. Additionally, she advised that the Bicentennial Committee had been holding monthly meetings to plan the upcoming bicentennial celebration and had established a website that was tied to the Warren County Tourism website. Mrs. Wood reiterated Mrs. Vogel's notation on Resolution No. 232, Resolution to Designate the Black-Eyed Susan as Warren County Bicentennial Flower. She then advised that Bicentennial Committee was currently working on their mobile exhibits which consisted of 17 panels that would be distributed around the County during bicentennial events; additionally, she noted that the Town Historians were reviewing and finalizing information for the Bicentennial booklet which would then be printed in anticipation of the upcoming celebration. Mrs. Wood advised the next meeting of the Bicentennial Committee would be held on May 22nd. In closing, Mrs. Wood identified one Public Safety resolution,

Resolution No. 216, Authorizing an Agreement with the Village of Lake George for Law Enforcement Services.

Mr. Geraghty advised that he had no Committee report to present, but noted that he had been working diligently along with Mr. Dusek on union negotiations. Chairman Stec responded by thanking Messrs. Geraghty and Dusek, as well as their respective support staff, for their efforts as these negotiations would have a significant impact on the County budget.

Mr. Conover announced that Resolution Nos. 235 - 247, 259 and 260 were derived from the last meeting of the Personnel Committee and he specified that Resolution Nos. 259 and 260 pertained to the consolidation of personnel functions between the Civil Service and Human Resources Departments and the resultant elimination of the Human Resources Department. He commended Messrs. Geraghty and Dusek and Kathy Barrie, Personnel Officer, for the work they had done in implementing the consolidation efforts as he felt it was a cost effective decision in the best interest of the County. Referring to Resolution No. 235, which approved the salary study and authorized wage adjustments as previously noted by Mr. Mason, Mr. Conover pointed out that the salary study listed the Warren County Sheriff's position was slated to receive an increase of \$1,720; however, he noted, this line should be removed because, as an elected official, the associated salary could only be increased by virtue of a Local Law. Mr. Dusek responded that this was correct and he suggested that an amendment to the resolution be made.

Motion was made by Mr. Conover, seconded by Mr. Monroe and carried unanimously to amend Resolution No. 235 to exclude the Sheriff position from the salary schedule.

Referring to the recent meeting of the Gaslight Village Ad Hoc Committee, Mr. Monroe noted that pursuant to Mr. Dickinson's affirmations, the Committee had approved Resolution No. 248, Resolution Supporting the Concept of the Town of Lake George Rejoining Ownership of the Gaslight Village Park. He noted that the Committee had approved the resolution under the assumption that a reversal of the past transfer of ownership would take place in order to allow the Town to rejoin; however, he stated, the Village of Lake George had since stated that while they were not opposed to the Town's rejoining, they were not interested in relinquishing any of their shares in the project. In light of this new information, Mr. Monroe advised that further discussions at the Committee level would be necessary. He also pointed out Resolution No. 249, Amending Resolution No. 193 of 2012 Changing Name of Committee from the Charles R. Wood Park Event and Operations Committee to the Park O&M Committee, and Resolution No. 250, Authorizing Intermunicipal Agreement with the Village of Lake George for Maintenance and Revenue Collection at the West Brook Parking Lot.

Mr. Dickinson stated that he was very disappointed that the Village was not open to the idea of allowing the Town to re-purchase shares of the project, especially in light of the great strides they had been making to consolidate services between the two municipalities. Chairman Stec stated his agreement that the Town of Lake George should be involved in the project in some manner.

With respect to Resolution No. 250, Mr. Geraghty questioned whether the resolution specified payment intervals for parking revenues and Mr. Auffredou replied in the negative. Mr. Geraghty suggested the resolution be amended to indicate that the revenues should be counted and distributed on a bi-weekly basis at no additional cost to the County.

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, APRIL 20, 2012

Motion was made by Mr. Monroe, seconded by Mr. Geraghty and carried unanimously to amend Resolution No. 250 to indicate that the parking revenues collected should be counted and distributed to the County on a bi-weekly basis, at no additional cost to the County.

Relative to the County Facilities Committee meeting, Mr. Girard reported that the agreement with Perkins Recycling for lease of the Ceiba Geigy property was expiring and they expected the property to be vacated by the end of April. He said they intended to market the property for lease through an RFP (request for proposal) process. Mr. Girard advised that a report had been provided on the status of the proposed Runway Extension Project, during which it had been noted that although the majority of the project was slated to be funded by State and Federal grant monies, the State had indicated that they were facing difficulties in providing their portion which might cause the County to have to pay more than their \$200,000 Local Share; he added that Legislative efforts were being made to try and avoid this situation, but it seemed a typical action of the State to pass on costs to the local government. As for Extension Services, Mr. Girard announced that the contract held by Dr. James Seeley to serve as Executive Director of Cornell Cooperative Extension was expiring and although he was interested in remaining in the position, it was subject to typical job advertisement and interview procedures. He advised that Dr. Seeley had performed fabulously as Executive Director and he hoped those efforts would continue.

Mr. McDevitt provided an accounting of the prior Mental Health Committee meeting, noting that a representative from the Glens Falls Hospital had spoken on his concerns relative to the elevated number of young people presenting themselves at the emergency room who were being clinically evaluated for mental health issues. Additionally, he noted that he had recently attended a short presentation at the Warren and Washington Counties ARC on autistic children which indicated a 500% evaluation differential between the States of Alabama and Utah which meant that the diagnostic procedures used were not as uniform as one might expect in dealing with this very serious issue.

Mr. Taylor pointed out four resolutions approved at the prior Support Services Committee meeting, including Resolution No. 219, Approving and Authorizing the Implementation of the Warren County Human Services Building Emergency Action and Response Plan; Resolution No. 220, Authorizing out-of-State Travel for Director of Weights & Measures to Attend the 2012 Annual Meeting of the Northeastern Weights & Measures Association; Resolution No. 221, Awarding Bid and Authorizing a Contract with Upstate Printing Company for Printing/Copying Services for Warren County; and Resolution No. 222, Authorizing Payment to Aeon Nexus Corporation for a County Spend Assessment.

Referring to Mr. Girard's report on Airport related business, Mr. Westcott noted that he had met with Ross Dubarry, Airport Manager, to discuss the possible lack of State funding for the Airport Runway Extension Project and had found that the State Share was approximately \$400,000; he added that if this funding was not provided at the State level, the County would need to determine an alternate source of funding.

Chairman Stec noted Resolution No. 257 introduced Local Law No. 6 of 2012 entitled "A Local Law Prohibiting the Sale and/or Use of Synthetic Cannabinoids in Warren County" and authorized a public hearing thereon; he then thanked Kate Hogan, District Attorney, for her leadership in dealing with this very serious issue and invited Ms. Hogan and Robert Iusi, Probation Director, to speak on the matter.

Ms. Hogan stated that Warren County had shown more leadership on this issue than many others around the State and she announced that the Franklin County District Attorney had contacted her that morning to obtain a copy of proposed Local Law No. 6 so that Franklin County might pattern theirs against it. She noted that since the Local Law initiative was approved at the Committee level, Governor Cuomo had used his executive power to order the New York State Department of Health to seize synthetic marijuana from any facility selling it; however, she added, this action did not make the substance illegal, nor did it provide the school systems with the authority to seize it. Ms. Hogan said that the widespread use and availability of the substance was very concerning and although Senator Little had proposed legislation to ban its use and sale, there was no Assembly sponsor for the bill. She concluded that there was a very real sense of urgency to address this issue and she strongly urged the Board to support the effort to eradicate the use and availability of synthetic marijuana in Warren County.

Mr. Dickinson commented that Joanne Gavin, Lake George resident, had been tantamount to this process in spreading awareness about the substance, touting its potential dangers and the need for its elimination; he added is appreciation for her efforts on behalf of the community. Chairman Stec extended his appreciation, as well, noting that Ms. Gavin had done her part to raise awareness on the issue and in response, the Board of Supervisors would do their part to address the matter. Ms. Gavin stated her appreciation to Ms. Hogan and to the Board of Supervisors for taking action as quickly as they had.

Mr. Iusi thanked and commended the Board members for taking action on the synthetic marijuana issue. He apprised that there were currently about 700 people on probation in Warren County and since December of 2011, it seemed that issues with synthetic marijuana use had become a weekly occurrence for juvenile or young adults, either through probationers who had gotten into more trouble or ended up in the emergency room with medical complications following use of the substance. Mr. Iusi said that in preparing the pre-sentencing evaluation reports provided to the Courts, they found many cases in which the use of synthetic marijuana was embedded; he added that when they asked why the drug was being used, the typical response was "because it's legal". Mr. Iusi concluded that the proposed Local Law was an excellent start to address the issue and he encouraged support for the measure.

Chairman Stec informed the next item on the Agenda was the report by the County Administrator. In response to Mr. Mason's prior inquiry as to whether the Salary Study performed had taken into consideration employee benefits, Mr. Dusek advised that during the past couple of years, a process had been implemented to review positions when created to develop an appropriate salary range, during which they considered many factors, including the values of health insurance and retirement benefits. He noted that in some cases, this process was easier than others, especially when equivalent private sector positions were not available to use as comparison in order to discount the value of fringe benefits. Mr. Dusek stated that the same type of procedure was used in developing the Salary Study and he noted that in most cases when a private sector position was available, it could be noted that the public sector position salary was lower than the private sector because the fringe benefits counterbalanced them. He continued that the Salary Study was not a perfect document and was intended to serve as a starting point for position evaluations which could be amended and revised each year during the budget process. Mr. Dusek reminded the Board members that this procedure was very different than any used for non-bargaining unit employees in the past, as previous to this automatic percentage increases had been allotted. He concluded that Mr. Geraghty, himself and the Administrative support staff had put a lot of time and effort into the document provided which he would suggest be reviewed and improved every budget session and he reiterated that health and pension benefits were absolutely considered when making salary determinations.

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, APRIL 20, 2012

Chairman Stec commended Messrs. Dusek, Geraghty and their support staff for the work they had done on the Salary Study as it had added a greater degree of open review and comment on the proposal by distributing the Study and allowing extensive review by the Personnel Committee before acting on it. He noted that the funding earmarked for wage adjustments had been carefully calculated and included in the 2012 Budget for this specific purpose. Chairman Stec stated that any time a governmental salary review/adjustment was proposed there would be a number of critical comments made, some informed and some not so. He concluded that while the Study document might not be perfect, he would note that the process endured to develop it included extensive review and consideration and had taken place in a very open and transparent manner, providing a very good working document for use in budget developments, and he commended all involved parties, once again, for their efforts.

Chairman Stec called for reading of communications.

Clerk read communications, including the following:

Minutes from:

1. Warren/Washington Counties Industrial Development Agency;

Monthly Reports from:

1. Probation;
2. Weights & Measures

Annual Report from:

1. Warren/Washington Counties Industrial Development Agency

Adirondack/Glens Falls Transportation Council, Final Report of the Quaker Road to Queensbury Avenue Connector Road Study;

Correspondence from representatives of The Lake George Citizens' Group, supporting the request from the Town of Lake George to re-join the Westbrook Initiative as a stakeholder; a copy of said correspondence provided to members of the Board of Supervisors;

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. 209 through 258 were mailed. She noted that Resolution Nos. 235 and 250 were amended as indicated by prior action of the Board.

Mrs. Sady informed that the resolutions relating to the filling of vacant positions were Resolution Nos. 237 - 246, 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. 208 and 259 - 261 to the floor. Motion was made by Mr. Bentley, seconded by Mr. Dickinson and carried unanimously to bring Resolution Nos. 208 and 259 - 261 to the floor.

In connection with the previously noted Resolution No. 253, which authorized \$2.6 million bond funding for the Beach Road Reconstruction Project, Mr. Auffredou pointed out Resolution No. 254, Resolution Making SEQRA Determination Regarding the Beach Road (CR51) Reconstruction Project in the Village/Town of Lake George and the Authorization by Serial Bond Resolution of Same Date for the Issuance of \$2,600,000 Serial Bonds of Warren County to Pay the Costs Thereof, which authorized the Chairman of the Board to sign the short environmental assessment form completed, as well as the issuance of a negative declaration for the project as required to obtain bond funding. He noted an extensive SEQRA review had already been completed for the Beach Road Reconstruction Project, and this version related specifically to the procurement of bond funds. Mr. Auffredou concluded that Resolution No. 254 should technically be approved before Resolution No. 253. Chairman Stec advised that Resolution No. 254 would be voted on outside of the collective vote, before the others in order to comply with Mr. Auffredou's advisement.

Mr. Kenny requested a roll call vote for Resolution No. 251 and he spoke in favor of the previously noted Resolution No. 248, stating that he strongly urged the Village of Lake George to reconsider their decision to refrain from allowing the Town of Lake George to buy back the shares they had previously forfeited in the Gaslight Village property.

Chairman Stec called for a vote on the resolutions.

Before voting on any other resolutions, the Board members unanimously approved Resolution No. 251.

Resolution Nos. 208 through 261 were approved. Proclamations - National Crime Victims' Rights Week; Nursing Home Week; and Law Day in Warren County were submitted, as well as a Certificate of Appointment naming members of the Park O&M Committee.

Addressing the final order of business, Chairman Stec called for announcements.

Mr. Girard thanked Mrs. Wood for all of her efforts in relation to the construction of the MASK Confidence Building and he congratulated her, along with all involved parties, on its completion. He said that the ability to complete the facility in the constricted time frame allotted was a great reflection on the County and its staffing.

Mr. Kenny announced that on April 30th, he and Councilman Driscoll would be holding a Town Hall Meeting at the Big Cross Street School at 6:00 p.m.

Mr. Westcott reiterated Chairman's Stec previous announcement that the two of them would be attending the "Stop Mandates Now" rally being hosted by the Upstate Conservative Coalition. He said that both himself and Mr. Stec would be speaking at the rally and he invited any interested Supervisors to join them. Secondly, he noted that the Rotary Water Walk was scheduled to be held on May 5th to raise money for clean water efforts in Haiti. Mr. Mason interjected that they hoped all of the Supervisors and their spouses would join the effort and he said an email with pertinent details would be forwarded.

Mr. Dickinson apprised that the Inter-County Legislative Committee of the Adirondacks meeting had been held in Lowville, NY, where they had been warmly received and provided with a tour of one of the two major plants and viewed the 195 windmills in place there. He said that during the meeting they had approved a resolution

expanding the definition of ATV's (all terrain vehicles).

Ms. Strodel noted Resolution No. 252, pertaining to special legislation sought to authorize sale of the Fairgrounds property, and she questioned whether the site would be available for the Rural Heritage Festival scheduled for August 11th. Chairman Stec clarified that the resolution requested legislation that would allow the sale, but did not authorize the sale; he added that he highly doubted that any action to sell the property would take place before August 11th. Michael Swan, County Treasurer, interjected that the prospective purchaser of the property had indicated that they would not seek to change the way in which the property was currently used and would honor any use contracts established prior to the property transfer. Mr. Strough stated that there were no other area properties with the same open area and facilities as the Fairgrounds property and he cautioned that if the property were sold, a considerable investment would be required to re-establish event space in another area. Additionally, he noted that a new owner could raze the property for construction development. Rather than selling the property, he suggested that the County consider better advertisement of the location and increased efforts to market the property for event use, which would raise revenues. Chairman Stec responded that the potential buyer of the parcel had asserted that he would continue the current use of the property and did not intend to develop it.

There being no further business, on motion by Mr. Dickinson and seconded by Mr. Thomas, Chairman Stec adjourned the meeting at 12:33 p.m.