

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MAY 18, 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 Taylor.

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. Strainer, seconded by Mr. Geraghty and carried unanimously, to approve the minutes of the April 20, 2012 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Stec began the meeting by recognizing Gus Nusskern as the 2012 Outstanding Senior Contributor for Warren County as part of the New York State Senior Citizens' Day Celebration. He noted that Mr. Nusskern had served as Volunteer Chairman of the Queensbury Senior Citizens, Inc. group which organized the Grandparents Breakfast held by the Queensbury School system for the past 23 years. Chairman Stec continued that Mr. Nusskern was actively involved in organizing the details of the event, including recruiting, training and managing of volunteers, which provided breakfast to children and their grandparents for five days, serving up to 3,000 meals. He concluded that the event might not have been started if it weren't for Mr. Nusskern's faithfully donated time, energy and enthusiasm, which truly exemplified what it meant to be a dedicated volunteer. The Supervisors responded with a round of applause.

Continuing, Chairman Stec announced that representatives from the Tri-County United Way and Cornell Cooperative Extension were in attendance to report on the 2012 VITA (Volunteer Income Tax Assistance) Program. Barb Sweet and Kevin O'Brien, of the Tri-County United Way, as well as James Seeley, Executive Director of Cornell Cooperative Extension, spoke briefly on the issue, following which a short powerpoint presentation was provided that indicated a 23% increase in the number of appointments scheduled for the VITA program as compared to the prior year, as well as a 5% increase in the total value of income tax refunds prepared. A copy of the powerpoint presentation is on file with the minutes.

Chairman Stec declared the Public Hearing for proposed Local Law No. 6 of 2012, entitled "A Local Law Prohibiting the Sale and/or Use of Synthetic Cannabinoids in Warren County" open at 10:15 a.m. and he requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing for Local No. 6 of 2012, entitled "A Local Law Prohibiting the Sale and/or Use of Synthetic Cannabinoids in Warren County".

Chairman Stec noted that after Warren County had begun the process to introduce the aforementioned Local Law, the New York State Department of Health had issued a ban prohibiting sale of synthetic marijuana in stores, allowing law enforcement personnel in Warren County and across the State, to undertake enforcement measures and he noted that he was aware of some progress wherein tickets had been issued for continued sale of the substance.

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However, he noted, because appropriate State legislation had not yet been approved to criminalize possession and use of synthetic marijuana, a Local Law would be necessary to provide prohibiting measures and enforcement within Warren County. Chairman Stec advised that although the State Senate had recently passed their version of a similar law that would criminalize sale, possession and use of synthetic marijuana, the State Assembly had yet to do so, which delayed the adoption of State-wide legislation of this nature. He noted this was not the first time the State had neglected to adopt essential Legislation, leaving it to be addressed at the local level and he further noted Warren County's adoption of local laws pertaining to location of sex offenders, prohibiting funeral protesting and addressing invasive species in local water bodies as being examples of issues that should have been addressed at the State level, but were not. Chairman Stec concluded that Warren County would be one of the first in New York State to pass a local law prohibiting possession and use of the synthetic marijuana substance, which actually had worse side effects than natural marijuana.

Joanne Gavin, Lake George Resident, stated she was very pleased that the County was taking the initiative to enact local legislation to ban synthetic marijuana and she encouraged continued efforts to spread awareness about the dangers caused by the drug. Additionally, she said she hoped that Warren County officials would assist surrounding Counties seeking to adopt similar legislation, in an effort to push the substance further from the area.

Martin Auffredou, County Attorney, stated that while there was already a substantial record of support for proposed Local Law No. 6 of 2012, he had gathered additional information relating to synthetic marijuana and the dangers of its use, which he proceeded to distribute to the Board members; copies of the documents are also on file with the minutes. He continued that if the prohibiting legislation were enacted on a State-wide basis, his office would review it and determine whether it preempted the local version.

Mr. Loeb apprised of his concern with the name attached to the substance, noting that medical marijuana provided positive benefits and should not be associated with the harmful synthetic product the local law sought to ban. Chairman Stec responded that while there was considerable room for debate on the issue, it was not on the table for discussion at the current meeting.

There being no further comment on proposed Local Law No. 6 of 2012, Chairman Stec closed the Public Hearing at 10:22 a.m.

Chairman Stec declared the Public Hearing for proposed Local Law No. 7 of 2012, entitled "A Local Law Establishing Motor Vehicle Parking Regulations for the West Brook Parking Lot Located in the Village and Town of Lake George" open at 10:23 a.m. and he requested the Clerk read the Notice of Public Hearing for the record.

Clerk read the Notice of Public Hearing for Local No. 7 of 2012, entitled "A Local Law Establishing Motor Vehicle Parking Regulations for the West Brook Parking Lot Located in the Village and Town of Lake George".

There being no comment on proposed Local Law No. 7 of 2012, Chairman Stec closed the Public Hearing at 10:24 a.m.

Chairman Stec advised the next item on the Agenda pertained to his reports. He announced that on the prior day he had attended an event held by the Village of Lake George at the Festival Space located on the former Gaslight

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Village property during which the Big Apple Circus had formally announced that they would be holding performances on the site in July; he added that he felt this would be a very successful attraction for this year, as well as those to come, and he congratulated Robert Blais, Mayor of the Village of Lake George, on his efforts to bring the event to the area. In relation to the former Gaslight Village Property, Chairman Stec reported that discussions were ongoing relative to the desire of the Town of Lake George to recover the shares in the property that were previously sold under the prior Town Supervisor's administration. He explained that when Mr. Dickinson had initially asserted the desire to rejoin the Gaslight Village project it had been assumed that they would do so by re-purchasing the shares previously sold to the Village of Lake George; however, he added, subsequent indications had identified that the Village was not interested in relinquishing any of their shares in the property, but they were not opposed to the County doing so and supported the Town's efforts to rejoin the project. Chairman Stec stated that there had been some discussion relative to the County selling some, or possibly all, of its interest in the project to the Town and/or Village, and while he felt that the County should retain some vested interest in the property, he was not vehemently opposed to either option. He further noted that while the County currently maintained a controlling interest in the project, it was not necessarily critical that they do so as this did not allow them to dictate terms and decisions associated with the property as most, if not all, decisions were made by consensus of the involved parties. Chairman Stec concluded that while he would like to keep the discussion brief, he desired to determine the feeling of the full Board on the matter and possibly refer the issue back to the Gaslight Village Ad Hoc Committee for further review.

Mr. Dickinson confirmed that the Town of Lake George was seeking a means to regain partial ownership interest in the former Gaslight Village property and he opined that the current ownership stature did not allow for a true democratic process as one party had more vested interest than the others. As a solution, he suggested that the Town be allowed to buy their way back in and for the ownership to be divided equally amongst the Town, Village and County, allowing equal voting status for each party. Mr. Dickinson asked that each of his fellow Board members consider this idea for discussion at a future Committee/Board meeting.

When asked to comment on Mr. Dickinson's proposal, Mayor Blais advised that this was the first he had heard of it and he was not prepared to address the issue. He advised that the Village Board had passed a resolution asserting their support for the Town of Lake George's initiative to re-join the Gaslight Village project through purchase of the County-owned shares and he confirmed that the Village was not willing to lessen their interest in the property. Mayor Blais noted that the Village would be losing revenues by encouraging events traditionally held in the Village to relocate to the Festival Space, and would also be losing revenues due to recent changes in the collection of monies from the County-owned Beach Road parking lot that had previously been retained by the Village. He stated the Village's belief that the Festival Space would be very successful and would raise revenues that far exceeded the expenses for maintenance of the property, allowing for excess revenues to be returned to the property owners at a rate equal to their vested property interest; he added that the prospective revenue returns were the reason that the Village had purchased additional property shares when the Town had sold them, and was also the reason that they refused to re-sell them. Mayor Blais reiterated that the Village supported the Town's rejoining the project through purchase of shares owned by the County, as well as the County's retaining 51% ownership of the property.

Mr. Girard questioned whether either the Town or the Village had sufficient funds available to purchase all of the County's ownership interest in the property, if they decided to sell it. Mayor Blais advised that they had the funding available, but said he could not confirm the Village's interest in proceeding in this manner without first consulting the Village Board. Mr. Dickinson stated that the Town would be interested in entertaining this option,

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as well, but said he also could not confirm any intent without reviewing the matter with the Town Board.

Mr. Taylor commented that if there was a willing buyer for the County's shares of the former Gaslight Village property, he would be in favor of selling them. He said the property had been purchased in order to forward an environmental project to benefit and protect Lake George and he felt it had grown into a much larger project that was not appropriate for County government to be involved in. Mr. McDevitt advised that he preferred for the County to maintain their involvement with the property until it was successfully cultivated and then revisit the possibility of selling their shares. He noted that a value for the County's shares would need to be determined and he surmised that, based on the County's investment in the property purchase, he would estimate the per share cost to be approximately \$21,000; Mr. McDevitt further noted that using this rate, the cost to sell 11 of the County's shares in the property to the Town of Lake George, leaving the County with 51% ownership, would total in the range of \$250,000. Chairman Stec agreed that a value would need to be determined for the County's shares in the property if they decided to sell them, and he advised that as of yet, no such determination had been made.

Mr. Loeb commented that he supported Mr. Taylor's statements and felt that the County should not be trying to micro manage goings on in the Village and Town of Lake George; additionally, he noted, he did not feel the property warranted an appropriate expense to the taxpayers of Warren County. He concluded that the County had successfully achieved its initial goals in assisting to purchase the property and begin the planning process for the environmental project and it was time for them to remove themselves from the scenario and allow the Village and Town of Lake George to continue its progression. Conversely, Mr. Kenny stated that he was in favor of the County maintaining a presence in the project, as well as their majority ownership status. He noted that the County distributed approximately \$325,000 in occupancy tax funding annually to draw events to the area, but had no viable venue available for their placement; therefore, he added, the former Gaslight Village property and the designated Festival Space, posed a tremendous value to the County.

Mr. Monroe agreed that the property represented a major benefit to area, allowing provisions for water quality improvement measures and the opportunity for increased sales and occupancy tax revenues, all of which were important to the entire region. He pointed out that strong support had been shown by Governor Cuomo's administration and he felt it sent a bad message to proponents of the project if the County were to back away. Mr. Monroe advised the County's current investment in the property totaled \$1.3 million; however, he said, approximately \$10 million in Federal and State grant funds had been awarded to the project, as well as \$750,000 from the Wood Foundation. He stated that if this were a private business, they would be considering the total value of the project, which was in excess of \$10 million, rather than the \$1.3 million County contribution and he felt it was important to show commitment to the project and maintain the investments made. Mr. Monroe concluded that although most decisions regarding the property had been made based on the consensus of all involved parties, he felt it was best for the County to maintain its majority ownership interest.

Mr. Mason stated his support for the County removing itself from the project entirely, but said he did not feel there was sufficient support amongst the Board members to do so. Therefore, he advised, he was supportive of the sale of 11% of the County's shares in the property to the Town of Lake George to allow them to rejoin the project as quickly as possible, while still maintaining the County's majority ownership status of 51%, with discussions to resume at a later date relative to the possible sale of the County's remaining shares to the Village and Town. Mr. Westcott apprised he was supportive of the Town of Lake George resuming partial property ownership and he said

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felt the property should be managed by the Town and Village. He commented that he did not have a clear understanding of the pros and cons associated with the County's continued involvement in the project and he asked that the County Administrator review the matter and provide an analysis detailing this information; until this information was provided, Mr. Westcott stated that he did not feel he had reviewed enough facts to determine whether or not the County should continue its current property ownership status. Mr. Bentley announced his opinion that at least one-third of the total property ownership should be sold to the Town of Lake George, for a fair price.

Mr. Geraghty recalled that the property had originally been purchased solely for the purpose of protecting Lake George, with plans for the Festival Space subsequently evolving. Since he said they were on their way to accomplishing their initial goals for the Lake's protection, he was in favor of the County removing itself from the project and he strongly supported the Town of Lake George re-joining. Mr. Geraghty stated that as long as they managed to recover their initial investment in the property, there would be no adverse affects to the County as sales and occupancy tax revenues would not be affected, provided that the Town and Village continued their efforts to bring events to the property.

Chairman Stec noted that the 3E's (Environmental Groups - Fund for Lake George, Lake George Association and Lake George Land Conservancy) had also partnered in the land purchase and should be consulted on their feelings regarding the potential change in ownership; he pointed out that Walt Lender, Executive Director of the Lake George Association, was in attendance and asked him to speak on the matter. Speaking only on behalf of the Lake George Association, Mr. Lender advised the County had been a great partner to work with and said he felt it would be best to forward the project working with the County, Village and Town of Lake George, as they would also like to see the Town re-join the project. However, he added, if the County decided to back away from the project, he did not feel there would be any objection, but stated that the 3E's would prefer to refrain from taking an official position on the matter until the County announced its decision.

Mr. Monroe recalled that in its initial stages, the Gaslight Village Project was simply a wetlands initiative aimed at protecting Lake George. He continued that the County had come very close to refraining from joining in the Project, with the key to their involvement being control of the Festival Space area and the Conservation Easement, which had posed a huge benefit to Warren County at the time it was being proposed.

Mr. Sokol stated he was in favor of selling 11% of the County's property shares to the Town of Lake George as quickly as possible and deciding whether the County should retain any ownership at a later date, as previously proposed by Mr. Mason.

Chairman Stec said it seemed there were four options available, those being: 1) refrain from making any decision on the matter pending the availability of more information; 2) splitting ownership of the property evenly between the County, Town and Village of Lake George; 3) the County selling its interest in the property and removing itself from the project completely; and 4) selling 11% of the County's shares to the Town of Lake George in the near future and continuing consideration of whether the County should remain involved. Chairman Stec proposed an informal show of hands vote on the options provided, following which he said it appeared the majority were in favor of the County removing itself from the project completely. He proposed that the matter be referred back to the Gaslight Village Ad Hoc Committee for further review and determination as to how this might be

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accomplished, as well as the manner and amount for which the shares should be divided and sold to the Town and Village of Lake George. In response to a suggestion posed by Messrs. Taylor and Mason, Chairman Stec advised the Committee should also consider the immediate sale of 11% of the County's shares in the property to the Town of Lake George to allow them to re-join the project and make further determinations on the sale of the County's remaining property shares at a later date.

Chairman Stec called for reports by Committee Chairmen on past month's activities or meetings and the following gave verbal reports: Supervisor Taylor, Economic Growth and Support Services; Supervisor Loeb, Social Services; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Bentley, Public Works and Criminal Justice; Supervisor Merlino, Tourism; Supervisor Strainer, Human Services and Community College; Supervisor Sokol, Health Services; Supervisor Thomas, Finance; Supervisor Wood, Public Safety; Supervisor Conover, Personnel; Supervisor Monroe, Park Operations & Management (O&M); Supervisor Girard, Extension Services; and Supervisor McDevitt, Mental Health.

Referring to the Economic Growth & Development Committee meeting held on May 2nd, Mr. Taylor said they had learned there were 13 active EDC (Economic Development Corporation) projects ongoing, which was encouraging as this figure reflected an increase in activity as compared to prior years. He apprised the EDC had instituted a "Business Plan Competition" which essentially called for businesses to submit applications to receive a lot located in the Queensbury Business Park, free of charge. Additionally, he stated, Rainmaker Network Services had made a presentation on the ability to use old television band frequencies for Wi-Fi internet service; he noted that Mrs. Wood was working on this initiative for the Town of Thurman and he encouraged anyone looking for more information on the issue to contact her. Mr. Taylor then proceeded to point out Resolution Nos. 271, Amending Resolution No. 299 of 2010 Establishing Capital Project No. H312.9550 280 First Wilderness 2008 Building the Future to Change Source of Funding; 272, Authorizing Extension of Option Agreement with Hudson River Local Development Corporation; and 273, Authorizing Agreement with the Lake George Park Commission to Provide GIS Services, all of which were approved by the Economic Growth & Development Committee and were included in the agenda packet. Mr. Taylor apprised that the Support Services Committee had also met, primarily to discuss the copier project as would be approved in Resolution No. 324, Rejecting Proposal of Usherwood Office Technology; Awarding Proposal and Authorizing Agreement with National Business Equipment & Supply LLC for Print/Copy/Fax/Scan Output Assessment, Consolidation of Office Equipment and Contract for Multi-Function Copiers on a Cost per Copy Basis (WC 49-11), which was also included in the resolution packet. He added that if he was so inclined, Paul Dusek, County Administrator, could provide an outline of the copier project in his report.

Mr. Loeb advised there was no Social Services related business to note, other than the two requests which had been approved by the Personnel Committee relating to the reorganization the Department of Social Services, those being Resolution Nos. 321, Authorizing the Acting Commissioner of Social Services to Fill the Vacant Position of Principal Social Welfare Examiner #3 Due to Creation, and 322, Authorizing the Acting Commissioner of Social Services to Fill the Vacant Position of Senior Social Welfare Examiner #4 Due to Creation. He noted the public demand for assistance services had increased dramatically, necessitating a change in the Department's organizational structure. Mr. Loeb said he would appreciate the Board's support of both resolutions. With reference to the last meeting of the Occupancy Tax Coordination Committee, Mr. Kenny pointed out Resolution No. 331, Amending Resolution No. 719 of 2011; Authorizing Agreements with Various Applicants for the Disbursement of 2011 Occupancy Tax Revenues. He explained the resolution would re-distribute \$1,500 in refunded occupancy tax monies

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for a cancelled event with \$750 going to the New York State Public High School Association State Volleyball Championship and the other \$750 to the Coleman Collectors Club.

Mr. Bentley announced that the agenda packet contained twelve resolutions approved by the Public Works Committee, the majority of which were to address typical contract issues, and he specifically pointed out Resolution No. 283, Approving and Authorizing Third Amendment to County of Warren, Town of Corinth, and Saratoga and North Creek Railway, LLC Railroad Licensing and Operating Agreement, which would obligate the County and Town of Corinth to fund \$500,000 of the \$1 million in track upgrades proposed through a forgiveness of payment for revenues due over the guaranteed annual payment amount specified in the Operator Contract. Mr. Bentley advised the Criminal Justice Committee had also met and approved four resolutions, one of which, Resolution No. 318, formally appointed Joy A. LaFountain as Assigned Counsel Administrator.

Relative to the Tourism Committee, Mr. Merlino apprised that television commercials advertising the area as a summer tourism destination had begun airing on April 5th and would continue through August 5th. He noted that information requests were up and that many area properties were picking up event brochures, travel guides and placemats. Lodging properties had reported increased reservation rates for the upcoming summer season, Mr. Merlino announced, which might help after the uneventful winter season. He apprised that he and Kate Johnson, Tourism Director, had attended press conferences at the Saratoga Raceway, in Saratoga Springs, NY, and the Sagamore Hotel, in Bolton Landing, NY, as well as the one held recently at the Gaslight Village property regarding the upcoming Big Apple Circus performances; he commended Mayor Blais for his efforts, as well as everyone else who had assisted in attracting the event to the area.

Mr. Strainer advised that a recent meeting of the Human Services Committee had yielded Resolution Nos. 287 through 291, pertaining to the Employment & Training Administration, which were included in the agenda packet. He continued to note that the Summer Youth Employment Program would receive more funding than anticipated which was very pleasing as the program provided a positive experience for the youth it assisted. He continued that Resolution No. 334 related to the Office for the Aging and the plans proposed by the Towns of Bolton, Chester, Lake Luzerne and Warrensburg to reduce mealsite related costs, saving approximately \$40,000 annually. Mr. Strainer said the Warrensburg mealsite had been successfully moved to the Countryside Adult Home and they had recently found that tuberculosis testing was not necessary for all mealsite visitors, as was originally anticipated. He thanked Christie Sabo, Director of the Office for the Aging, Deanna Park, Director of the Countryside Adult Home, and Mr. Dusek for the work they had done to relocate the mealsite and provide a cost savings to the County. Also of note, Mr. Strainer advised that he had attended a groundbreaking ceremony at SUNY Adirondack for the student housing project and the Adirondack Balloon Festival Committee had big plans for their upcoming event which they hoped to unveil in the near future.

Mr. Westcott pointed out Resolution Nos. 308, Establishing the Mandate Relief Sub-Committee for Warren County and Appointing Members; and 309, Resolution Declaring May 16, 2012 to be "Mayday for Mandate Relief" and Urging the Mandate Relief Council to Take Swift Action in Submitting a Package of Mandate Relief Proposals to Governor Cuomo and the State Legislature to be Voted on this Session. He said they had been working very hard to raise awareness for mandate relief and he thanked Chairman Stec and Supervisors Girard, Monroe, Taylor and Wood for their volunteer efforts on the "Enough Mandates" campaign and the "Mayday for Mandate Relief" effort endorsed by NYSAC (New York State Association of Counties) which was being implemented on a State-wide basis.

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Mr. Westcott reported that approximately 40 Counties had passed resolutions in support of the mandate relief initiative and were making a variety of efforts to raise awareness including holding town hall meetings, public hearings and press conferences; he noted that he had been asked to speak at press conferences in Rensselaer, Ulster and Otsego Counties. He said that the ultimate goal of the mandate relief effort was to work in a bipartisan way to identify solutions agreeable to both the Democratic and Republican parties that could be proposed to the State Legislature for meaningful mandate relief.

Referring to the Health Services Committee meeting held on April 26th, Mr. Sokol said that although no new business relative to the Westmount Health Facility was presented, he would note that the next Committee meeting would be held at the Facility where a tour would be given and a nice breakfast would be provided. As for the Public Health division, he advised the Committee had approved Resolution No. 295, Authorizing the Warren County Administrator to Send a Letter to the New York State Department of Health Regarding the Establishment of New Certified Home Health Agencies (CHHA's) in Warren County, and he noted that this would likely be an ongoing issue as, although this was a good revenue generating program for the County, the State felt that they had a "monopoly" on these services and there should be more competition. Mr. Sokol explained the letter approved by the resolution would ask the New York State Department of Health to provide oversight and monitoring of new CHHA's in Warren County to ensure fair business practices and ensure that all areas of the County would be served equally and fairly, preventing them from "cherry picking" patients from the more populated areas of the County while leaving the rest unserved.

Mr. Thomas advised the Finance Committee had met on May 9th and he briefly outlined the resolutions approved at that meeting which included Nos. 229 through 309.

Mrs. Wood apprised that the Public Safety Committee had held a brief meeting on April 30th where several resolutions had been approved which generally addressed regular Departmental business. She said the quarterly Emergency Preparedness meeting was also held and a very nice presentation had been provided at the Inter-County Legislative Committee of the Adirondacks meeting concerning a closed State facility which was being redeveloped for business.

Speaking as Budget Officer, Mr. Geraghty announced that the County had been issued a higher municipal bond rating which reflected all of the hard work and effort being put forth by the Department Heads and the Administrative staff. He then questioned whether an update would be provided relative to indications that the State-owned section of Beach Road would be repaired in connection with the Beach Road Project and Chairman Stec confirmed that the State had pledged to make the necessary repairs, although he said he was unsure whether a funding plan had been finalized to cover the costs thereof.

Mr. Conover noted that the Personnel Committee had met on May 9th and approved Resolution Nos. 310 through 323, all of which were typical Departmental requests. He pointed out Resolution No. 319, Appointing Wayne LaMothe as County Planner, and he stated the County was very lucky to have Mr. LaMothe on staff.

Before beginning with his Committee report, Mr. Monroe commented on plans for bringing broadband internet services to areas of Warren County where it was not currently available. He recalled that the County had applied for Federal stimulus grant funds in partnership with CBN Connect and several other counties to further this

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effort; however, he said, the grant application had been declined. Instead, Mr. Monroe noted, funding had been granted to support a plan by the Development Authority of the North Country (DANC) which allowed expansion of broadband internet services provided by ION Hold Co., LLC to include several of the counties included in the CBN Connect grant application, leaving only Warren and Washington Counties un-serviced. He said he had the opportunity to speak with James Wright, Executive Director of DANC, and asked if there was any possibility of further expanding the broadband network to include Warren and Washington Counties, to which Mr. Wright responded that they would be willing to consider the idea and he asked for the opportunity to speak to the Warren County Board of Supervisors. Mr. Monroe requested that Chairman Stec contact Mr. Wright and schedule this discussion for an upcoming Board meeting as he felt this initiative, coupled with Governor Cuomo's announcement concerning the availability of an additional \$25 million in grant funding for the advancement of broadband services in New York, were the areas best opportunity to achieve these services. Chairman Stec questioned whether he should attempt to schedule discussion for the June 15th Board meeting and Mr. Monroe replied affirmatively; Chairman Stec confirmed that he would contact Mr. Wright with regard to this matter. Mr. Westcott interjected that David Salaway, Program Director for the New York State Broadband Program Office, should be contacted and requested to join this meeting, as well, and he volunteered to contact Mr. Salaway on the Chairman's behalf.

Proceeding with his Committee review, Mr. Monroe announced that the first meeting of the Park Operations & Management (O&M) Committee had been held at the request of Jeffery Tennyson, Superintendent of Public Works, to establish an operating budget, basically appropriating the unappropriated fund balance for anticipated parking and event revenues for 2012, as well as expenses incurred for parking related services provided by the Village of Lake George. Additionally, he said they had discussed expenses associated with necessary surveying services, which he believed had been completed. Mr. Monroe pointed out Resolution Nos. 278, Establishing the Operating Parameters for the County Owned West Brook Parking Lot; 306, Authorizing Use of Parking Revenue Generated at the Former Gaslight Village Property to Cover the Cost of a Survey for the Reconfiguration of the Festival Space; and 325, Approving the Plan of the Village of Lake George in Connection with Parking on the Former Gaslight Village Property During the 2012 Summer Season, all of which were approved by the Park O&M Committee. Concluding his report, Mr. Monroe apprised that the Federal Surface Transportation Board had approved the application submitted by the Saratoga North Creek Railway (SNCR) which would help to clean up an environmental issue in Newcomb, NY, which was along the route proposed for expansion of the railway system; he added that this assistance would provide benefits to SNCR, and to Warren County. He stated that the support of the towns and villages located along the railway had made a big difference in gaining the support and assistance from Federal and State legislators, as well as the Governor's Office.

With reference to the Extension Services Committee, Mr. Girard reported that Cornell Cooperative Extension continued to provide beneficial services to County residents as represented by the power point presentation provided earlier in the meeting and the gardening and nutritional education programs offered. The County Facilities Committee had met, he advised, and discussed a safety plan submitted by Mike Needham, of Needham Risk Management, which would include securing four of the nine entrances to the Municipal Center to change them from public to employee only access; he added that following a lengthy discussion on the matter, Mr. Needham had been asked to review the safety plan and re-present it at a future Committee meeting. Mr. Girard noted that informal meetings had been held with Mr. Tennyson; Ross Dubarry, Airport Manager; and Mark Donohue, of the Adirondack Balloon Festival, to discuss parking arrangements for the upcoming Adirondack Balloon Festival event which could possibly lead to a new revenue source. He said the discussions had been positive and there were logistics and issues

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that would likely be discussed further at the Committee level. Returning to the topic of the Gaslight Village property and the County's involvement, Mr. Girard stated that due to the level of discussion and consideration needed for each decision in light of the number of parties involved, he felt it was best to leave operation of the property to the Town and Village, allowing the County to focus their time and attention on other existing events, such as the Adirondack Balloon Festival, to make them better.

Mr. McDevitt stated that it had been a busy month for Mental Health business in terms of raising awareness with respect to a serious issue across the Country relative to the suicide rates for military personnel. He noted that statistics reported a suicide attempt was made by a service person every 18 hours and they attributed these occurrences to the stressful nature of the positions, coupled with what could be labeled as an unpopular war by some parties. Mr. McDevitt said these statistics were very sobering and concerning as suicide touched all families, both directly and indirectly, and he felt that society needed to recognize these issues and discuss them more frequently. He advised that a two-hour walk entitled "Hike for Hope - Cody's Climb" would be held on Sunday, May 20th at Prospect Mountain in Lake George to raise money for suicide prevention; he said that he would be participating in the walk and encouraged any interested Supervisors to join, as well.

Chairman Stec informed the next item on the Agenda was the report by the County Administrator. As a followup to the notation made by Mr. Taylor, Mr. Dusek provided a brief update on the copier project that would be approved by proposed Resolution No. 324. He apprised the plan would garner a significant savings to the County, approximately \$141,000 in the first five years and up to a cumulative total of \$500,000, conservatively, over the next ten years, by reducing the number of printers used by County staff from 347 units to 123; he added that amongst the 347 units currently in use, there were about 172 different brands, which required different types of toners and supplies, as well as service contracts, which was costly. Mr. Dusek continued that the copier project would reduce the number of varying brands in place to 10 and would increase the current per unit user statistic from 1-2 to 8-10. He advised that savings would be attained not only through a reduction in machinery, but also through the introduction of multi-function machines which offered a lower per-page printing cost. Mr. Dusek credited Bill Mahar, Network Coordinator for the Information Technology (IT) Department, and Julie Pacyna, Purchasing Agent, with providing considerable effort to the establishment and organization of the copier project, including the RFP (request for proposal) that was released to determine an appropriate business to provide the desired copier/printer/fax units. He pointed out that some Departments had unexpired copier and machinery leases which would need to be addressed through a transfer of funds between Departmental budgets; he added that he would present this request to the Finance Committee once the shortages had been determined. Mr. Monroe questioned whether information was available to the Towns regarding this initiative in the event that they might like to employ similar measures and Mr. Dusek replied affirmatively, noting that a copy of the RFP document was also available and might be helpful to any municipality seeking to proceed in the same manner.

Continuing to the next agenda item, Chairman Stec advised that Martin Auffredou, County Attorney, would review the Negative Declarations under SEQRA (State Environmental Quality Review Act) which were included in Resolution Nos. 284 and 337. With reference to Resolution No. 284, Determining that the Installation of Taxiway Edge Lighting to Serve New T-Hangars at the Floyd Bennett Memorial Airport will not have a Significant impact on the Environment and Authoring Issuance of a Negative Declaration under the New York State Environmental Quality Review Act, Mr. Auffredou explained that pursuant to indications as to the need for lighting along the taxiway leading to the new t-hangar units being constructed, it had been determined that an environmental review

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was required. He advised that C&S Companies, the project engineer, had prepared the short form SEQRA documents included in the resolution, which indicated the project would not cause any significant environmental impact. By approving Resolution No. 284, Mr. Auffredou counseled that the Board would be adopting the findings indicated in the short-form SEQRA documents and authorizing the Chairman of the Board to sign them, as well as the issuance of a Negative Declaration. Similarly, Mr. Auffredou pointed out that Resolution No. 337, Conduction Review Under the New York State Environmental Quality Review Act and Enacting Local Law No. 7 of 2012, also included a short-form SEQRA review and Negative Declaration advising there would be no significant environmental impact relative to the establishment of the West Brook Parking Lot. When it was pointed out that the SEQRA document attached to Resolution No. 284 indicated the taxiway lighting project was located in the Town of Glens Falls, rather than the Town of Queensbury, Mr. Auffredou advised this information could easily be corrected prior to the Chairman signing.

Chairman Stec called for reading of communications.

Clerk read communications, including the following:

Minutes from:

1. Warren/Washington Counties IDA and Civic Development Corp.;
2. Office of Community Services Mental Health/Dev. Disabilities Subcommittees.

Monthly Report from:

1. Probation

Annual Reports from:

1. County of Warren for Fiscal Year Ended 12/31/11.
2. Capital District Regional Off-Track Betting Corp. Year Ending 12/31/11;
Capital District Regional Off-Track Betting Corp., March 2012 surcharge in the amount of \$6,991;
Financial Report Ending 3/31/12;

Communications, resolutions and reports ordered placed on file.

Chairman Stec announced there was one resolution to be introduced from the floor, copies of which were distributed to the Board members, represented as proposed Resolution No. 339. He explained that this resolution related to the former "Mullen Property" and a prospective environmental issue that prevented the County from taking ownership thereof in light of liability concerns. Chairman Stec stated that in relating these issues to Senator Little and NYSDEC (New York State Department of Environmental Conservation) representatives he had been assured there was an option available within the law that allowed incidents of ownership to take over the property for the purpose of performing an environmental evaluation, following which determinations could be made on how to proceed based on the findings of said evaluation. Chairman Stec stated that this process would alleviate prior concerns that the County's associating itself in any ownership manner to a contaminated property automatically added liability for environmental contaminations and their associated cost to the County. He advised the resolution presented would begin the process suggested by Senator Little and NYSDEC by authorizing acceptance of the proposal presented by Clark Patterson Lee for the Phase 1 Environmental Site Assessment, at a cost not to exceed \$2,100, as well as to authorize the County Attorney and Treasurer to commence with an In Rem Tax Foreclosure proceeding in the Warren County Supreme Court and seek to obtain temporary incidents of ownership of the subject premises for the purpose of the environmental review. Mr. Auffredou confirmed Chairman Stec's assessment of the

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proposed resolution, adding that a tax foreclosure proceeding had been commenced on the Mullen Property some time ago, and he needed to review the matter to determine whether the former action could be re-opened or if a new one needed to be started, thus the language in the resolution indicating that the County Attorney and County Treasurer would be authorized to commence and/or re-commence the process.

Mr. McDevitt questioned how the matter would be handled if the Phase 1 Environmental Site Assessment did not yield information sufficient to determine the level of contamination on the property and Mr. Auffredou responded it was his understanding that a prior environmental study may have been performed on the property, which they hoped to obtain a copy of. He added that the combination of the Phase 1 Assessment and the previous study performed should provide sufficient information to make the necessary determinations; however, he said, if the need for further studies was identified, the issue would be returned for additional Board approvals. Mr. Monroe noted there were other properties in the County facing similar contamination and foreclosure issues for which this process might be appropriate. Mr. Geraghty interjected there was only one other property facing similar issues and it was his understanding NYSDEC would be addressing that.

Chairman Stec called for a reading of resolutions and discussion, following which Joan Sady, Clerk of the Board, advised the Resolution Nos. 263 - 333 were mailed. She noted that Resolution Nos. 294 and 305 were duplicated; therefore, Resolution No. 305 had been replaced with another resolution. Mrs. Sady informed that the resolutions relating to the filling of vacant positions were Resolution Nos. 316 - 322, 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. 262, 305 and 334 - 339 to the floor. Motion was made by Mr. Bentley, seconded by Mr. Dickinson and carried unanimously to bring Resolution Nos. 262, 305 and 334 - 339 to the floor.

Mr. Kenny requested roll call votes for Resolution Nos. 283, Approving and Authorizing Third Amendment to County of Warren, Town of Corinth, and Saratoga and North Creek Railway, LLC Railroad Licensing and Operating Agreement, and 320, Authorizing County Planner to Fill the Vacant Position of Associate Planner (Part Time) Due to Creation. Relative to Resolution No. 283, he commented that over the past 16 years, prior to SNCR's operation of the railway, \$80,000 per year had been included in the County Budget for rail related expenses, at a return of only approximately \$20,000 annually, leading to a loss of about \$60,000 per year. Mr. Kenny stated that if the County were to forfeit revenues for the next ten years, they would lose a whole generation of profits. He said he did not think it was fair to the taxpayers of Warren County to invest that kind of money into the railroad venture and forego any return of revenues. Mr. Kenny concluded that he was supportive of SNCR as the new Operator and felt they were doing a very good job, but he said he also felt that if the upgraded tracks stood to benefit them as they had indicated, they should provide for the upgrades without the County's investment. Mr. Bentley clarified that through the proposed agreement, the County and Town of Corinth would be foregoing revenues to be received over and above the guaranteed annual revenue figure for the remainder of the five-year Operator Contract term. He added that SNCR had also created a number of jobs for local residents that had not been available in the past, and those should be considered, as well. Mr. Dickinson commented that the railway represented one of the only classic methods of mass transit that went unfunded as the costs of roads and bridges were supported by gasoline taxes and he said he felt this was a small price to pay to have train service available in Warren County which would be faster, safer and provide a smoother ride with the upgrades proposed.

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In response to Mr. Westcott's request, Mr. Dusek provided a brief background on the events leading up to the contract amendment, noting that SNCR had proposed approximately \$1 million in track upgrades and improvements to allow for faster, smoother train traffic, but had requested that the Town of Corinth and County provide for 50% of the repairs made through a forgiveness of revenues to be received, over the guaranteed annual revenue of \$87,000 which would have been placed in a reserve fund for catastrophic railroad failures. Mr. Dusek apprised that the SNCR proposal sought the forgiveness of revenues until either the 50% match was met, or the current Operator Contract expired, whichever occurred first.

Mr. Westcott questioned whether the additional revenues being forgiven could have been used in a manner other than to support the railroad and Mr. Dusek replied in the negative, advising that the revenues would have been placed in a reserve fund to be used in the event of a catastrophic railroad failure. Mr. Loeb stated his concern that preventing funds from being attributed to the reserve fund would be removing a layer of protection for Warren County taxpayers as they would not have funds available to repair the railroad in the event that a catastrophic failure were to occur.

Mr. Strainer pointed out that Resolution No. 285, Authorizing Extension of Lease Agreement with Perkins Recycling Corporation, sought to extend the lease agreement for a period of time that had already passed and he questioned whether Perkins was still renting the Ceiba Geigy site to which Mr. Dusek replied in the negative.

Chairman Stec called for a vote on resolutions.

Resolution Nos. 262 through 339 were approved as presented. Proclamations - Mental Health Month; and Older Americans Month were submitted, as well as a Certificate of Appointment naming members of the Saratoga-Warren-Washington Counties Workforce Investment Board.

Moving on to announcements, Mr. Dickinson apprised that the Rotary Club had installed new flags and yellow ribbons on the flag poles located near the southern entrance to the Town of Lake George, with participation from various Girl and Boy Scout troops and over the Memorial Day holiday, a moving tribute would be held at the site which would include bagpipe music and he encouraged attendance.

Mr. Strainer questioned when tours of the new MASK Confidence Building would be available and Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services, advised that they had delayed providing tours of the Building until the appropriate lighting had been installed, which they hoped would be done within the next few weeks. He continued that a request had been received from the Secretary of State to tour the facility and they hoped to make this a nice event that the Supervisors could attend, as well. Mr. Strainer then noted that Cornell Cooperative Extension would be holding their annual golf tournament on August 25th at Cronin's Golf Course, which was one of the best in the area. He noted the prior funding reductions to Cornell Cooperative Extension's budget and said that any donations of prize items or food for the event dinner would be greatly appreciated. Mr. Strainer apprised the dinner held at the golf course could be attended regardless of tournament participation.

Mr. Bentley announced the Town of Horicon would be holding their annual Fishing Derby on the following day, beginning at 8:00 a.m. and they welcomed children from all parts of the County to attend.

Mr. Monroe noted that three proposals for final design services in association with the Gaslight Village

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property had been received, reviewed and were currently being negotiated.

Mike Swan, County Treasurer, clarified that the County had received approximately \$113,000 in revenue payments from SNCR for their first partial year of operation. He then noted that the refinancing of bonds for the Human Services Building was complete and would result in a savings of \$60,000 per year and a total of \$724,000 over the life of the bond. One reason the savings had been attained, he said was an increase in the bond rating and the other was the current state of the bond market.

Chairman Stec stated that on the prior evening he had participated in celebrating SUNY Adirondack's 50th Commencement Ceremony where 380 students had graduated. Additionally, he noted that on Sunday at 2:00 p.m. at the corner of Quaker and Bay Roads, at the Old Quaker Burial Ground, a ceremony would be held celebrating the 250th anniversary of the founding of the Town of Queensbury by the Quakers. Chairman Stec said that additional events celebrating the landmark quadricentennial anniversary would be held throughout the year.

As there were no additional announcements, Chairman Stec advised that a brief executive session would be necessary to discuss two matters of litigation.

Motion was made by Mr. Girard, seconded by Mr. Kenny and carried unanimously to enter into an executive session to discuss pending litigation pursuant to Section 105(d) of the Public Officer's Law.

Executive session was held from 11:59 a.m. to 12:14 p.m.

Upon reconvening, Chairman Stec announced that no action had been taken during the executive session.

Mr. Dickinson said he had a final announcement to make and he proceeded to express his displeasure with recent action taken by DPW staff to remove impediments placed by the owner of the Magic Forest amusement park on what was perceived to be County-owned property. He said that DPW staff had entered the property without proper prior notice to Mr. Gillette, removing items and taking actions that should have been first addressed in Court proceedings. Mr. Dickinson stated his feelings that these actions were un-American and denied Mr. Gillette due process, as was his right as a United States citizen. He noted that if Mr. Gillette were correct in his belief that the property in question was his, the County had knowingly trespassed upon and damaged private property. Mr. Dickinson stated that he would like to take the opportunity to offer his sincere apologies to Mr. Gillette for the actions taken by the DPW and he noted that while he could not ascertain which party maintained true ownership of the property in question, he agreed that Mr. Gillette had been wronged through the aggressive action taken by the DPW; Mr. Dickinson then thanked Mr. Dusek for maintaining a calm demeanor in assisting with this rancorous situation.

There being no further business, on motion made by Mr. Vanselow and seconded by Mrs. Frasier, Chairman Stec adjourned the meeting at 12:17 p.m.