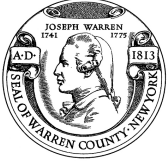
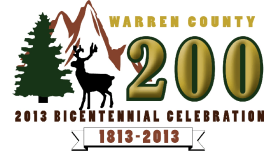


# Warren County Board of Supervisors



**BOARD MEETING  
FRIDAY, MAY 17, 2013**



The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Wood.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Kenny, Frasier, Bentley, Vanselow, Dickinson, Merlino, Montesi, Mason, Strainer, Westcott, Sokol, Thomas, Wood and Geraghty - 19. Supervisor Loeb Absent, -1.

Motion was made by Mr. Bentley, seconded by Mr. Montesi and carried unanimously, to approve the minutes of the April 19, 2013 Board Meeting, subject to correction by the Clerk of the Board.

Commencing the agenda review, Chairman Geraghty extended privilege of the floor to Deb Coalts, Coordinator of Nutrition Services for the Warren/Hamilton County Office for the Aging, who was in attendance to recognize the recipients of the 2013 Warren County Senior of the Year and Outstanding Senior Contributor awards. Ms. Coalts began by expressing her appreciation for the opportunity to publicly recognize some very special people who had dedicated their time to serving and improving the community. She announced that Gene Casella, Town of Queensbury resident, had been named as the 2013 Warren County Senior of the Year and Lois Lattimore, City of Glens Falls resident, had been named as the 2013 Outstanding Senior Contributor; Ms. Coalts thanked both Mr. Casella and Ms. Lattimore for the dedication of their time and talents. A round of applause was given.

Continuing with the agenda review, privilege of the floor was extended to the representatives of the Tri-County United Way and Cornell Cooperative Extension who were in attendance to report on the VITA (*Volunteer Income Tax Assistance*) Program for the 2012 tax year. Barbara Sweet, Executive Director of the Tri-County United Way, stated that her organization was fortunate to have received grant funding from the IRS (*Internal Revenue Service*) to administer the VITA program for Warren and Washington Counties; she added that although working with the IRS was not always easy, the arrangement brought important grant funds into both Counties. Ms. Sweet reported that over \$1 million in 2012 tax returns were processed for Warren County alone, saving participating taxpayers more than \$156,000 in tax preparation fees. She stated that they were very grateful for the opportunity to help the taxpayers in this manner and she noted that the VITA program was predicated on volunteer assistance for tax preparation. Ms. Sweet then introduced Kevin O'Brien, of the Tri-County United Way, who worked in connection with Cornell Cooperative Extension to implement the VITA Program in Warren County.

Mr. O'Brien outlined the coalition of partners that assisted with the VITA Program, noting that Tri-County United Way coordinated with Cornell Cooperative Extension to administer the Program, while Warren County Head Start, the Salvation Army and SUNY Adirondack provided space to perform the tax preparation, and Glens Falls National Bank assisted by providing a number of volunteers to do the

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tax preparation. Mr. O'Brien said there were 12 VITA tax preparation locations in Warren County, 3 in Glens Falls, 2 in Queensbury, 3 in Warrensburg, 1 in North Creek, 1 in Lake George, 1 in Pottersville and 1 in Brant Lake. He stated that they were always seeking additional locations to expand VITA services, especially on Saturdays when most taxpayers were available to participate, and he asked anyone with available space to contact him. With respect to the tax preparation results announced by Ms. Sweet, Mr. O'Brien noted that a considerable amount of money was coming back into the community and he asked the Board of Supervisors to consider the economic impact of the VITA Program in Warren County. He advised that the majority of the amount refunded annually directly related to the withholding manner chosen by the taxpayer and the Program's biggest challenge related to financial planning and advising the taxpayer that if the withholding was altered, they would receive more money on a weekly basis, rather than receiving a large return at the end of the year. Mr. O'Brien opined that as the VITA Program was expanded, they would have a better chance of encouraging more people to change their withholding status to allow for a higher weekly cash flow. In closing, he reiterated his request for anyone with available space to hold additional tax preparation sessions to contact him directly.

Dr. Jim Seeley, Executive Director of Cornell Cooperative Extension, apprised that participation in the VITA Program had increased by 77 clients, or 42%, for the 2012 tax preparation season as compared to 2011 figures. He also confirmed Ms. Sweet's prior statement that they had saved participants an estimated \$156,000 in tax preparation fees and he advised that the volunteer tax preparation services provided were estimated at a net worth of \$22,959. Dr. Seeley noted that last year, following the Program's 2011 tax preparations, they had estimated \$800,000 in returns had been prepared and they had set a goal of \$1 million in tax preparations for the 2012 tax season, which they had exceeded. Dr. Seeley concluded his comments by thanking the Board of Supervisors for their support of the VITA Program.

Mr. McDevitt thanked Ms. Sweet, Mr. O'Brien and Dr. Seeley for the Program updates and the efforts they had provided. He noted that he had recently heard a radio advertisement announcing a new fundraising campaign by the Tri-County United Way which he asked Ms. Sweet to expound upon. Ms. Sweet advised this year's United Way fundraising campaign had concluded with a \$55,000 net decrease in the amount of funding they were able to distribute to member agencies, as compared to the prior year. She continued that she had reached out to a generous donor who had guaranteed a \$20,000 donation towards the \$55,000 deficit, if the United Way was able to raise \$35,000 within the next 30 days. Ms. Sweet stated that they were currently in day three of the challenge and were doing pretty well, but she encouraged everyone to visit the United Way website where more information regarding the challenge was available. She noted that in these times of drastically reduced funding for a number of wonderful non-profit organizations, their primary effort was to maintain a sustainable level to keep those programs which touch so many lives running. In closing, Ms. Sweet again asked everyone to visit the United Way website and she noted that they were very grateful for any donations made.

Chairman Geraghty advised the next agenda item pertained to an announcement from Jim Lieberum, District Manager of the Warren County Soil & Water Conservation District, regarding the Draft 2012 MS-4 Annual Report. Mr. Lieberum announced that Warren County's Draft 2012 MS4 Annual Report was ready for review and he noted a NYSDEC (*New York State Department of Environmental Conservation*) requirement that the Report be made publicly available; in compliance with said regulations, Mr. Lieberum advised hard copies of the Report were available at his office, as well as the DPW Office and also on the Warren County and Warren County Soil & Water Conservation District websites. For those not familiar with the MS-4 program, Mr. Lieberum advised it was a municipal separate storm sewer system which was essentially a Federal program administered by the State for communities with certain population densities. He noted that currently, the City of Glens Falls, Town Queensbury, part of the

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Town of Lake George and the Village of Lake George were included in the program. Mr. Lieberum stated that he served as the Stormwater Management Officer for Warren County and worked closely with Jeffery Tennyson, Warren Superintendent of Public Works, and Frank Morehouse, Warren County Superintendent of Buildings. He advised the Draft 2012 MS-4 Annual Report would be available for questions and comments until May 29<sup>th</sup>, when it would be closed at the next meeting of the Public Works Committee. *Note: the date of the next Public Works Committee meeting was changed to May 30<sup>th</sup>.*

Mr. Conover commended Mr. Lieberum on his leadership and the continuing direction of the Soil & Water Conservation District staff, noting that the services provided had not suffered the loss of his predecessor, Dave Wick, who had left the position to become the Executive Director of the Lake George Park Commission. He stated that he was extremely satisfied with the continuing operation and assistance provided to all of the towns in Warren County.

Mr. Montesi also complimented Mr. Lieberum and the Soil & Water staff, noting that the MS-4 report for the Town of Queensbury was provided and was very complete. Mr. Thomas thanked Mr. Lieberum, as well for all of the work provided in mapping out the MS-4 system, advising that although the process had taken a lot of time and effort, they had done an excellent job. Chairman Geraghty noted that the MS-4 Report was previously handled by the DPW Division, but had been turned over to the Warren County Soil & Water Conservation District.

The agenda review resumed with the Report by the Chairman of the Board. Chairman Geraghty advised he had attended a number of Committee meetings during the past month, as well as the annual Crime Victims Breakfast event jointly hosted by the Warren and Washington County District Attorney's Offices. He said this had been an excellent event where a number of people had been recognized, including Chris Hatin, of the Warren County Sheriff's Office, and Seth French, of the City of Glens Police Department, for their efforts in assisting crime victims. Chairman Geraghty advised he had also attended a meeting, along with Supervisors Conover and Dickinson, where the announcement of the NYDEC's purchase of the Cat and Thomas Mountain parcels was announced; he advised this was an important acquisition because of the affect it would have on the Town of Bolton's Watershed. Chairman Geraghty continued that he had attended the AATV (*Adirondack Association of Towns & Villages*) Local Government Day in Lake Placid, NY, and he said he had worked with the Bicentennial Committee on the organization of a Special Board Meeting which would be held during the month of June, which he asked Joan Sady, Clerk of the Board, to speak on.

Mrs. Sady noted that a Special Board Meeting would be held on June 12<sup>th</sup> at the old Warren County Courthouse in the Village of Lake George as a signature event for Warren County's Bicentennial Celebration; she noted proposed Resolution No. 325, *Scheduling Special Board Meeting for the Warren County Board of Supervisors on June 12, 2013 at 10:00 a.m. at the Old Lake George Courthouse in the Village of Lake George*, which was included in the agenda packet. Mrs. Sady advised that on June 12<sup>th</sup>, the Supervisors would convene at the Lake George Town Center at 9:00 a.m. to be escorted by trolley to the Courthouse where they would be escorted in by the American Legion Color Guard. She said this would be a very nice event where the State Historian would attend to provide a Bicentennial Address, as well as a number of other dignitaries. Mrs. Sady advised that on May 20<sup>th</sup> at 10:00 a.m. an informal meeting would be held to familiarize everyone with the location and plans for the June 12<sup>th</sup> meeting and she encouraged the members of the Board of Supervisors to attend.

Mr. Dickinson commented that he had been involved in the planning process and he noted that the members of the Bicentennial Committee had done a tremendous amount of work in organizing the June 12<sup>th</sup> meeting and the celebration that would follow. He said this would be a great event and he encouraged everyone to attend and bring friends and family. Chairman Geraghty noted it was

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important that anyone able to attend the May 20<sup>th</sup> staging meeting do so.

Continuing his Report, Chairman Geraghty advised he had participated in a conference call regarding upcoming changes in health insurance and the anticipated effects of the Obama Care program. Finally, he said he had attended the meeting of the Intercounty Legislative Committee of the Adirondacks, which was held on the prior day, where considerable conversation was held with respect to concerns regarding the additional burdens placed on counties through early voting regulations. Chairman Geraghty said at this meeting he had asked if any counties intended to address the pension smoothing formula released by the State and the resounding answer was that there was no interest in complying as none of the Committee members believed that the latest proposal released by the State Comptroller would provide much assistance. Chairman Geraghty concluded that on Monday, May 20<sup>th</sup>, the State Comptroller would hold a breakfast meeting hosted by Senator Little and he said he assumed most members of the Board of Supervisors would attend.

Chairman Geraghty called for Reports by Committee Chairmen on the past months meetings or activities and the following were given: Supervisor Wood, Public Safety; Supervisor Conover, Finance; Supervisor Monroe, Real Property and Legislative & Rules; Supervisor Girard, County Facilities and Extension Service; Supervisor Taylor, Personnel, Support Services and Warren-Washington Counties Industrial Development Agency; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Bentley, Intercounty Legislative Committee of the Adirondacks, Public Works and Criminal Justice; Supervisor Dickinson, Invasive Species Sub-Committee; Supervisor Merlino, Tourism; Supervisor Strainer, Human Services; Supervisor Sokol, Health Services.

With respect to the April 29<sup>th</sup> meeting of the Public Safety Committee, Mrs. Wood advised four resolutions had been approved during the brief meeting, represented by proposed Resolution Nos. 268 - 270 and 319, which were included in the agenda packet. She recognized Bud York, Sheriff, Suzanne Wheeler, Commissioner of the Department of Social Services, and their respective staff, as well as the staff of the Information Technology Department, for their assistance with a recent audit of inmate benefits. Mrs. Wood advised that following the audit, it was found that no inmates of the Warren County Correctional Facility were receiving benefits they were not qualified for, which was not typical in the State of New York, and she commended everyone involved for their efforts as well as for their ability to work well together as a unit in order to make the process move forward smoothly.

Mr. Conover reported that the Finance Committee had met on May 8<sup>th</sup>, approving four resolutions represented by proposed Resolution Nos. 266, 267, 305 and 320, all of which were included in the agenda packet and dealt with typical County business. He noted that the sales tax figures for the month of April were up 4.5%, which was good news, and he said the County's cash position seemed to be improving, which was also good news. Mr. Conover advised of a recent announcement by the Sagamore Hotel that they would be converting to a year round business which would be a benefit for the Town of Bolton and the entire region.

Mr. Monroe said he had recently attended the Law Day Breakfast hosted by the Warren County Bar Association, where he had read a proclamation from the County; he noted it was a great event. He continued that the Real Property Tax Services Committee had met on April 29<sup>th</sup>, and although he had been unable to attend, he said he would provide a report based on the meeting minutes. Mr. Monroe said discussion had been held relative to deleting taxes on a parcel in the Town of Warrensburg, following which Committee action was taken, as represented by proposed Resolution No. 276, included in the agenda packet. He expounded that Committee action was also taken to create and fill a Senior Real Property Clerk position, as well as to fill a Real Property Clerk position, due to promotion, and refer same to the Personnel Committee. Mr. Monroe noted that discussion was held relative to a

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request submitted by Deanne Rehm, Assessor for the Town of Lake Luzerne, and David Rosebrook, Assessor for the Towns of Bolton and Lake George, to support legislation which would change the way condominiums are assessed. He advised that currently, condo units at The Sagamore Resort were sold for about \$500,000, but were only assessed at \$350,000 because they were considered to be single income properties. Mr. Monroe advised the legislation being considered would not require a municipality to re-assess condo units, but would provide them the option to do so, and would not change the assessment on pre-existing condo units. He further advised that the Real Property Tax Services Committee had voted to refer this issue to the Legislative & Rules Committee, where Assessors Rehm and Rosebrook made presentations, once again, and a subsequent resolution was approved, *proposed Resolution No. 299*. Mr. Monroe said the Legislative & Rules Committee had also considered a request from Assemblyman Michael Kearns to support New York State Assembly Bills A.88 and A.824 which would require lending institutions to provide contact information for properties they had foreclosed upon, which the Committee voted in favor of, resulting in proposed Resolution No. 300 of 2013. Finally, Mr. Monroe advised the Legislative & Rules Committee had held a great deal of discussion on the proposed change in bar and tavern closing times which was referred back to them at the April 19<sup>th</sup> Board meeting. He said the Committee had discussed several scenarios for a change in closing times, including a change from 4:00 a.m. to 2:00 a.m.; 3:00 a.m.; and a 2:00 a.m./3:00 a.m. hybrid for the winter and summer seasons. Mr. Monroe stated that the Committee had ultimately voted on a compromise of a 3:00 a.m. closing time, which was defeated by a vote of three members for and four against.

Mr. Girard said the County Facilities Committee had met twice since the last Board meeting, approving several resolutions, among which was proposed Resolution Nos. 316, *Authorizing Submission of Grant Application to New York State Department of Transportation, Aviation Capital Grant Program to Design and Install a Natural Gas Distribution System and Backup Generator for all Airport Buildings Currently Being Serviced by Other Fuel Types*; and 287, *Rescinding Resolution No. 89 of 2013 Authorizing Agreement with Todd J. Monahan d/b/a Sunkiss Ballooning and Authorizing use of the Floyd Bennett Memorial Airport - Warren County, New York for the Sunkiss Balloon Festival*. Mr. Girard advised the Sunkiss Balloon Festival event had recently been cancelled due to a lack of funding. He pointed out that the County Facilities Committee had also approved proposed Resolution No. 290, *Awarding Bid and Authorizing Agreement with Lowest Responsible Bidder for Floyd Bennett Memorial Airport Terminal Building Roof Removal and Replacement (WC 037-13)*. Mr. Girard apprised that during one of the County Facilities Committee meetings, Supervisor Loeb had commented on problems with the video screens at the Glens Falls Civic Center; he reported that he had subsequently spoken with City Common Councilman Dan Hall who said they were working on the problem and should have a report on how to fix the deficiencies with the screens and improve them in the near future. Respective to the Cooperative Extension Committee, Mr. Girard apprised that there had been some problems with heat at the Cornell Cooperative Extension Building and Mr. Morehouse was working on a plan to replace the current electric heat with a solar heat source using available grant funding opportunities. Finally, Mr. Girard advised Cornell Cooperative Extension would be holding their annual fundraising golf tournament at Cronin's Golf Course, located in the Town of Warrensburg, during the month of August and he said any donations or sponsorship of the event would be greatly appreciated.

Mr. McDevitt said he had nothing to report, but wanted to advise of the upcoming Hike for Hope which would be held at Prospect Mountain, in Lake George, on Sunday May 19<sup>th</sup>. He said this was a great event aimed at raising suicide awareness and he noted that Senator Little supported the event and had participated in the past; Mr. McDevitt encouraged everyone to attend.

The last meeting of the Personnel Committee was held on May 8<sup>th</sup>, Mr. Taylor advised, during which ten resolutions were approved, *proposed Resolution Nos. 306 - 315*, the majority pertaining to filling

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vacancies created by retirements and promotions. Mr. Taylor drew special attention to proposed Resolution No. 306, *Authorizing Warren County Attorney to Carry Over up to Five (5) Unused Vacation Days Beyond June 1, 2013*, noting that Martin Auffredou, County Attorney, had not been able to use his vacation time prior to the June 1<sup>st</sup> deadline because he had been asked to remain in the Office and available during the medical absence of Paul Dusek, County Administrator. Mr. Taylor also pointed out proposed Resolution No. 307, *Authorizing Policy to be Implemented by the Public Health Division and Westmount Health Facility to Allow the Director/Administrator to offer up to the Fifth Year Salary Rate when Hiring Per Diem Positions which Require RPN, LPN and CNA Designation*, which he said would assist both divisions to fill vacant per diem positions, and proposed Resolution No. 315, *Authorizing Public Employment Agreement Effective April 16, 2010, Through December 31, 2016*, pertaining to an employment agreement with the Warren County Correctional Supervisors Association. Mr. Taylor announced that the Support Services Committee had met on April 26<sup>th</sup>, approving four resolutions, two of which were proposed Resolution Nos. 303, *Approving the Warren County Smoking and Tobacco Use Policy*, and 304, *Approving the Warren County Plan and Program on Workplace Harassment*. Finally, Mr. Taylor provided an update on the Warren-Washington Counties IDA (*Industrial Development Agency*), noting that the IDA was an economic development tool used by other agencies, such as the Warren County EDC (*Economic Development Corporation*) and LDC (*Local Development Corporation*), to offer incentives aimed at bringing new businesses to the area. He apprised that for the term extending from May 1, 2012 through April 30, 2013 five businesses had been drawn to the area, Morris Products; M&S Precision Machine Company; Price Chopper; TRIBALS, LLC; and Hudson Falls Park Properties. Mr. Taylor continued that these projects had a \$20,290,000 cumulative project cost and would lead to the creation of 103 new jobs, achieving a regional economic impact of \$3.5 million. He concluded that the resurgence of new business construction was a sign that the economy was getting better and he hoped that this trend continued.

Mr. Kenny announced the Occupancy Tax Coordination Committee had met on May 1<sup>st</sup>, during which Mike Swan, County Treasurer, advised sales tax revenues were up 4.51% for the month of April and 7.81% for 2013. He pointed out that proposed Resolution Nos. 322, *Amending the Warren County Tourist and Convention Development Application and Contract for Occupancy Tax Funding with Warren County to Allow a Reimbursement upon Presentation of Paid Receipts, of up to 50% for each Promotional Item Prior to an Event with Stipulation*; 323, *Amending Resolution No. 698 of 2012; Authorizing Agreements with Various Applicants for the Disbursement of 2012 Occupancy Tax Revenues and Reallocating Funding from Cancelled Events*; and 324, *Authorizing Contract with the Lake George Regional Chamber of Commerce & CVB, Inc. for Financial Assistance to Update and Operate the Exit 17 Information Center*, were approved during this meeting and he proceeded to outline each resolution briefly. Additionally, Mr. Kenny noted that the Committee had approved requests to appropriate funds from the occupancy tax reserve for a number of expenses, including \$800 to install plexiglass over the town posters hanging in the hallway near the Committee Room; \$25,000 to assist the Lake George Regional Chamber of Commerce in updating/operating the Exit 17 Information Center; \$39,827 to pay the towns, City of Glens Falls and Village of Lake George their 25% allocation due to the increase in occupancy tax collections; and \$2,500 to fund the Village of Lake George's Save Our Lake Blues Festival. He further noted that upon approval by the Committee, these appropriations were forwarded to the Finance Committee where they were also approved, and are represented by proposed Resolution No. 320, *Authorizing the Appropriation of Funds from the Occupancy Tax Reserve to the Building and Tourism Budgets; Amending 2013 Warren County Budget*.

Mr. Bentley advised that proposed Resolution No. 299, *Supporting New York State Senate and Assembly Bills S.1000 and A.682 Regarding an Act to Amend the Real Property Tax Law in Relation to the Taxation of Property Owned by a Cooperative Corporation*, was presented at the May 16<sup>th</sup> meeting of the Intercounty Legislative Committee of the Adirondacks where it was adopted by unanimous vote. He

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noted that proposed Resolution Nos. 317, *Authorizing Submission of the 2014 STOP-DWI Grant Application*, and 318, *Authorizing the Submission of Grant Applications to the New York State Governor's Traffic Safety Committee to Provide Funding for the Traffic Safety Initiatives*, were approved by the Traffic Safety Board at their last meeting on May 13<sup>th</sup>, while proposed Resolution Nos. 291-298 were adopted by the Public Works Committee at their April 30<sup>th</sup> meeting. Mr. Bentley advised that most of the resolutions approved by the Public Works Committee pertained to typical contract and maintenance issues; however, he brought special attention to proposed Resolution No. 291, *Authorizing Acceptance of Donation of Land Located in the Town of Johnsbury, 13<sup>th</sup> Lake Road for Highway Purposes*, through which the County would receive an approximately 4 acre parcel of property to be used for highway maintenance purposes in return for reimbursement of the \$600 in survey fees the property owner had incurred. With respect to the Beach Road Reconstruction Project, Mr. Bentley reported that the reconstruction work was proceeding nicely and should be complete by the upcoming Memorial Day holiday. Mr. Tennyson confirmed that the hardscape portion of the reconstruction project would be finished during the next week, following which the remaining restoration work would be completed. Concluding his report, Mr. Bentley said the Criminal Justice Committee had also met, approving proposed Resolution Nos. 271-273 which were included in the resolution packet.

Mr. Dickinson announced that he had been very busy working on invasive species matters, meeting several times each week with the various people involved in this extensive and important united effort. He advised that three more wash stations had been ordered, making a total of four available for the upcoming summer season, and they were currently working on a program for operation of those wash stations. Mr. Dickinson stated that the Lake George Association and the Fund for Lake George had been significantly involved in the coordination and fundraising efforts to purchase the wash stations, as had the Lake George Park Commission; he added that it was rewarding to see so many disparate parties working to achieve the same goal, and although the program seemed to be moving ahead very slowly, they were trying to determine a way to streamline the process and make it more expedient. Mr. Dickinson announced that funding for one of the wash stations had been contributed by the USEPA (*United States Environmental Protection Agency*), representing the spread of awareness from the County to the State and Federal governments. He advised the eradication efforts had included the placement of 1,007 10'x30' plastic, semi-floating mats, weighed down by 6,200 pieces of 4'-6' rebar and 3,500 sandbags, all of which were being removed. Mr. Dickinson noted that various tests had and would be performed during all phases of the project to determine its effectiveness and he said they were anxiously awaiting the results of this testing. He apprised of a recent meeting coordinated with various Lake George marina owners and operators which both himself and Supervisor Mason had attended, during which he had been very surprised and pleased to learn of the considerable amount of support for the project by the marina owners. He recalled a comment made by several marina owners during this meeting that the Invasive Species Transport Law enacted by Warren County Local Law No. 9 of 2011, and later amended by Local Law No. 6 of 2013, did not sufficiently address the issue, nor did the boat washing program which was highly encouraged, but not mandatory for the 2013 boating season. Mr. Dickinson stated that there had been approximately 20 marina owners in attendance at the meeting, as well as representatives of the Lake George Association and the Lake George Park Commission, all of whom were in support of invasive species eradication initiatives and he said many new and helpful ideas had been introduced as to how best to set up the boat washing program. As a side note, Mr. Dickinson pointed out proposed Resolution No. 270, *Authorizing Intermunicipal Agreement with the Town of Horicon for Marine Law Enforcement on Schroon Lake in the Town of Horicon*, and he noted that the Invasive Species Sub-Committee was committed to assisting every body of water in Warren County with any invasive species issues they may be experiencing. Lastly, he stated that he was very happy to see Mr. Dusek had returned from his medical leave and he said he was glad to have him back.

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Although the Tourism Committee had not met during the past month, Mr. Merlino noted that the summer tourism campaign had begun on April 29<sup>th</sup> and would include new RFI (*request for information*) technology which would allow someone watching a Warren County tourism commercial to pause it and request information using their remote control. He continued that the second quarter newsletter had been forwarded electronically to each member of the Board of Supervisors. Mr. Merlino reported that he, Kate Johnson, Tourism Director, and Michael Consuelo, Executive Director of the Lake George Chamber of Commerce & CVB, had attended the New York State Tourism Summit hosted by Governor Cuomo in Albany, NY on May 8<sup>th</sup>. He said they had attended both the morning and afternoon sessions of the Summit, at the end of which it was noted that the Governor intended to appropriate \$60 million in funding for tourism related items for New York State, which was phenomenal because funding for prior years had been so low. Mr. Merlino advised that an announcement had been made that about \$10 million would be spent for new signs advertising cultural and speciality events and sights on all major highways within New York State; he said he had questioned whether signs of this nature would be placed in Warren County, in light of APA (*Adirondack Park Agency*) regulations, but he said he had not received a response. Finally, Mr. Merlino apprised that Lake George was recently named one of the top 10 lakeside ventures by the Yahoo! Travel website, alongside Lake Geneva in Switzerland, Lake Como in Italy, and the Finger Lakes in NY.

Mr. Montesi reported that in response to the effort to gain support for the invasive species eradication movement from all of the municipalities surrounding Lake George, the Town of Queensbury would be adopting a Memorandum of Understanding at their next Board meeting. Pertaining to regional business, Mr. Montesi advised the Town of Queensbury sold the Town of Moreau approximately 1.2 million gallons of water per day. He further advised the Village of South Glens Falls was replacing their water treatment plant and would require provision of approximately 500,000 to 1 million gallons of water per day for the next 8 to 10 weeks while the water treatment facility was being completed. Mr. Montesi noted that the Town of Queensbury would be providing the water to the Village of South Glens Falls through their arrangement with the Town of Moreau, at a reasonable price.

Mr. Strainer announced that the Human Services Committee had met on April 26<sup>th</sup>, approving proposed Resolution Nos. 277-279, all of which pertained to typical housekeeping items. He advised that he had attended the SUNY Adirondack graduation ceremonies on the prior evening, during which he had spoken briefly. Mr. Strainer commented that almost 400 students had participated in the ceremony, ranging in age from 19 to 63. With respect to the newly constructed student housing facility at SUNY Adirondack, he reported that the facility was approximately 64% full and he advised that tours of the housing units could be scheduled for anyone interested in seeing them. In closing, Mr. Strainer advised the new President of SUNY Adirondack would start on June 1<sup>st</sup> and he said that although he had served on the Committee involved in the President's selection, the SUNY Adirondack Trustees made the final decision about whom to hire. He commented that it had been a very difficult decision process because each applicant had been tremendously qualified and enthusiastic.

Although he had no Committee business to report, Mr. Westcott said he would like to take the opportunity to thank Robert Blais, Mayor of the Village of Lake George, for the public forum held regarding casino gambling. He noted that about 250 people had attended the forum, including a number of other Supervisors, which had been very informative and he said he appreciated the effort Mayor Blais was exerting to provide education on this initiative. Mr. Westcott noted that on May 21<sup>st</sup> at 2:00 p.m., the Lake George Park Commission would be holding an informational meeting regarding the invasive species eradication efforts which he encouraged everyone to attend; Mr. Westcott further noted that a second evening meeting would be held in Ticonderoga, NY at a later date. Mr. Dickinson confirmed that public hearing meetings would be held in the Towns of Lake George and Ticonderoga in connection with the environmental impact statements completed by the Lake George Park



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Commission and accepted by the NYSDEC. Mr. Dickinson commented that anyone interested in the invasive species eradication program should attend at least one of these meetings.

Mr. Monroe commented that there were a number of lakes located in the northern portion of Warren County, outside of the Lake George Park Commission's jurisdiction. He suggested that they begin considering whether the County should take steps to require mandatory boat inspections on a County-wide level, rather than just concentrating on Lake George.

Mr. Sokol reported that the Health Services Committee had met on April 26<sup>th</sup> where they had approved a request for referral to the Personnel Committee, ultimately culminating in proposed Resolution No. 307, *Authorizing Policy to be Implemented by the Public Health Division and Westmount Health Facility to Allow the Director/Administrator to offer up to the Fifth Year Salary Rate when Hiring Per Diem Positions which Require RPN, LPN and CNA Designation*, which was previously outlined by Mr. Taylor. He advised that the Director of Public Health and Administrator of the Westmount Health Facility had experienced some difficulty in filling per diem Nurse positions due to the salary structure and this new policy would make that process much easier, while reducing agency fees and heightening the level of experience available from new per diem positions. Mr. Sokol assured that the salary levels offered to new per diem Nurses would be reviewed and approved by both the County Administrator and the Committee prior to hiring. With reference to proposed Resolution No. 326, *Authorizing MDS Coordinator Training Stipend*, Mr. Sokol apprised that the new MDS Coordinator for the Westmount Health Facility had recently been selected and was temporarily hired as a Supervising Registered Nurse Per Diem during her training period, which would only extend for two work days. He explained that there was a difference of \$77.65 between the two positions, and therefore, they were requesting that a stipend be paid to cover the difference in salary.

Mr. Thomas said that he had nothing to report, but wanted to mention that at one of the recent County Facilities Committee meetings a Warren County citizen named Brian Straub had spoken about a website he had created, [www.warrenctyairport.com](http://www.warrenctyairport.com), in response to claims made by the media that the Warren County Airport was a waste of taxpayer money. He said the website was very well created and included a considerable amount of good, factual information about the Airport and he encouraged everyone to visit the site, regardless of their prospective on the facility.

With respect to the comments Supervisor Wood made during her Report regarding the cooperative efforts undertaken by the Information Technology, Sheriff's Office and Social Services staff to ensure there were no Warren County inmates receiving benefits they were not qualified for, Chairman Geraghty noted that similar actions were being taken in other areas of the County, as well. He advised that in his short tenure as Chairman of the Board, he had received several letters commending various Department Heads and staff for the assistance provided in many areas and he said he wished to publicly thank all County staff for doing an outstanding job on a daily basis.

Moving on to the Report by the County Administrator, Chairman Geraghty welcomed Mr. Dusek back from his medical leave and noted that Mr. Auffredou had done a fine job of filling in during his absence. Mr. Dusek advised that he had nothing to report, but said he appreciated all of the well wishes he had received during his absence and he also acknowledged the support provided by Mrs. Sady, Mr. Auffredou and his own Office staff while he was out and said he was thankful for these efforts.

Chairman Geraghty called for the report by the County Attorney and Mr. Auffredou advised he had nothing to report, but noted that he was happy to welcome Mr. Dusek back to work.

Continuing with the agenda review, Chairman Geraghty called for the Reading of Communications,

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which Mrs. Sady read aloud, as follows:

**Minutes from:**

1. Office of Community Services Mental Health/Dev. Disabilities Subcommittees.

**Monthly Report from:**

1. Weights & Measures

**Annual Reports from:**

1. Capital District Regional Off-Track Betting Corp. Year Ending 12/31/12;
2. Warren County Soil & Water Conservation District;

Capital District Regional Off-Track Betting Corp., Financial Report Ending 1/31/13 and 2/28/13;

Correspondence from Queensbury residents Roger & Sherry Kearns, Joan Robertson, opposing casino gambling proposal;

Letter from the Mayor of Saga City, Japan, thanking the Chairman and all involved for the welcome and hospitality provided to their delegation as part of the 25th anniversary of the Sister Cities Program; and

Lloyd Mott, representing Warren County Safe & Quality Bicycling Organization, expressing concerns regarding the condition of the bikeway from Magic Forest to Lake George as a result of snowmobiles on the path.

Chairman Geraghty apprised that he and Paul Butler, Director of the Parks, Recreation & Railroad Division, had taken a tour of the Warren County Bikeway to view damages caused by snowmobile use during the winter months. He said he had asked Mr. Tennyson to bring the matter up for discussion at the next Public Works Committee meeting because, unfortunately, the damage was considerable and needed to be addressed.

Proceeding to the next agenda item, Chairman Geraghty called for the Reading of Resolutions. Mrs. Sady advised that proposed Resolution Nos. 267 - 318 were mailed, following which proposed Resolution No. 267 was amended. She noted that a motion was needed to accept proposed Resolution No. 267 in its amended form.

Motion was made by Mr. Conover, seconded by Mr. Kenny and carried unanimously to approve the amendments to proposed Resolution No. 267.

Mrs. Sady pointed out that the resolutions relating to the filling of vacant positions were proposed Resolution Nos. 309-311, 313 and 314, and she said that unless a roll call vote was requested, all would be approved in the collective vote. She continued that a motion was also needed to bring proposed Resolution Nos. 266 and 319-327 to the floor.

Before the motion mentioned by Mrs. Sady was made, Mr. Kenny announced that he would like to introduce a resolution requesting that the closing times for bars and taverns in Warren County be changed from 4:00 a.m. to 3:00 a.m. He said that in accordance with the Rules of the Board, the proposed resolution was submitted in writing to the Clerk of the Board and copies were available for distribution to the Board members in an unnumbered format.

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Mrs. Wood stated that she objected to Mr. Kenny's motion to introduce the proposed resolution because the matter had been referred to the Legislative & Rules Committee, and later to the Public Safety Committee, who had not yet fully considered the matter and made their report. When asked for counsel on how to address Mrs. Wood's objection, Mr. Auffredou advised the situation warranted further discussion before determining how best to proceed. He recalled that at the April 19<sup>th</sup> Board meeting, a resolution had been introduced by Messrs. Kenny and Montesi to recommend a change the bar and tavern closing time from 4:00 a.m. to 2:00 a.m. to the SLA (*State Liquor Authority*)(*Resolution No. 263 of 2013*), and following a lengthy discussion the resolution was ultimately tabled by motion made by Messrs. Conover and Monroe and the matter referred back to the Legislative & Rules Committee for further review. Mr. Auffredou advised that the Legislative & Rules Committee deliberated the issue at their May 8<sup>th</sup> meeting, but had refrained from taking any action to re-introduce the resolution and instead, had sent a referral to the Public Safety Committee to determine whether there might be a way in which the County could provide additional assistance to the City of Glens Falls with respect to the disruptive behavior occurring around bars and taverns located on South Street. He noted that procedurally, the matter remained with the Public Safety Committee for consideration, with the Legislative & Rules Committee waiting for a response from the Public Safety Committee.

Mr. Auffredou pointed out that if the resolution proposed by Mr. Kenny were adopted, it would not result in an immediate change in bar and tavern closing times in Warren County, but rather submission of a request to the SLA to consider the change, following which, the SLA would hold a public hearing before proceeding to make a decision on the request. He advised that although Mr. Kenny had made a motion to introduce a new resolution, a second to the motion was necessary to bring the matter to the floor to be voted on. With respect to Mrs. Wood's objection to the introduction of a new resolution, Mr. Auffredou advised that in order to uphold Mr. Kenny's motion, one would have to make the case that the resolution being introduced was substantially dis-similar to the one that was tabled at the April Board meeting and referred to the Legislative & Rules Committee. He said it seemed to him that the resolution introduced by Mr. Kenny encompassed a new matter, and a new motion to approve, which under *Robert's Rules of Order* could be considered substantially dis-similar to the activity that had taken place at the April Board meeting. Mr. Auffredou apprised that he had studied *Robert's Rules* very carefully in preparation for this situation and admitted that the issue was certainly open to interpretation and debate. He continued that while he appreciated both sides of the argument being made, he preferred not to opine on the issue due to the delicate subject matter which was of great concern to many parties.

Mr. Dickinson expressed his displeasure with the introduction of a new resolution and stated that he also objected to Mr. Kenny's introduction of a new resolution as he did not feel the issue should be broached since it had not yet been fully addressed by the Public Safety and Legislative & Rules Committees.

Mr. Bentley noted that the Legislative & Rules Committee had voted on the idea of requesting a 3:00 a.m. bar and tavern closing time, but that option had been voted down by the majority of the Committee.

Mrs. Wood made a motion to object Mr. Kenny's motion to bring a new resolution to the floor and Mr. Dickinson seconded the motion.

With respect to the objections made by Mrs. Wood and Mr. Dickinson, Mr. Kenny stated there was no reason that the referral to the Public Safety Committee should not stand, nor any reason why it should interfere with the resolution he had proposed as they were two separate issues, one calling for a change in the bar and tavern closing time and the other considering ways in which the County might assist the

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City of Glens Falls in alleviating disruptive behavior in areas where bars and taverns were located. He continued that there was something inherently wrong with the County's legislative process if the will of the majority of the Board of Supervisors could be blocked by a Committee. Mr. Westcott said he supported Mr. Kenny's statements, as well as the resolution he had proposed.

When asked which motion took precedence, Mr. Auffredou advised that Mrs. Wood's objecting motion would be considered first, as hers had received a second.

Mrs. Wood stated that she objected to consideration of the new resolution because the Legislative & Rules Committee had not yet received a response from the Public Safety Committee on the matter. She said that she preferred the opportunity for review be provided to the Legislative & Rules Committee for their determination before further action on this matter was taken. Mr. Mason commented that the problem with this approach was that the matter could be delayed at the Committee level for an indeterminate amount of time. He said he did not feel the Board of Supervisors wished to engage in political games of this sort which were typically played at the State level and he said he preferred that the matter be put to a vote in a civil, and respectful, manner.

Mr. Monroe recalled that when this matter was initially discussed by the Legislative & Rules Committee, there was a sense that the issue was of importance to Mayor Blais, who was not able to attend that meeting, as well to other parties in Warren County, and therefore they had been in favor of referring the matter without recommendation to the full Board of Supervisors for a public hearing and further discussion. He continued that at the April 19<sup>th</sup> Board meeting, a public hearing and subsequent discussion was held, following which the issue was ultimately referred back to the Legislative & Rules Committee. Mr. Monroe reiterated information provided in his Committee Report, advising that the earlier bar closing time issue had been discussed by the Legislative & Rules Committee, but the motion to make the change had failed and the Committee had decided to refer the matter to the Public Safety Committee to determine ways in which Warren County might be able to assist the City of Glens Falls in alleviating the problems caused by disruptive behaviors. He stated that he did not see any merit in returning the matter to the Committee level because he did not believe anyone's vote on this issue would change. Mr. Monroe further stated that this was a very important issue to both the City of Glens Falls and the Village of Lake George, as well as many other municipalities in Warren County, which was not likely to go away and he said he supported a vote on the issue at the current meeting. Mr. Monroe concluded that discussions could continue at the Public Safety Committee to determine ways in which the County might assist the City, but he said he was doubtful that these discussions would have any bearing on the opinions regarding the bar and tavern closing times, whether they be for or against a change.

Mr. Bentley stated that he had been accused of trying to protect the "dives" that operated as bars and taverns in the Town of Horicon on a year-round basis. He noted that the assessed value of those "dives" was \$8,125,300, while the cumulative assessed value of the seven bars located on South Street was \$1,326,000. Based on this information, Mr. Bentley said he did not believe the bars and taverns located in the Town of Horicon could rightly be considered "dives".

With respect to the motion made by Mrs. Wood objecting to Mr. Kenny's introduction of a new resolution, Mr. Dusek clarified that a vote in favor of the motion would be voting against the introduction of a new resolution, while a vote against would be in favor of the introduction of a new resolution.

There being no further discussion on the issue, roll was called and Mrs. Wood's motion in opposition to Mr. Kenny's introduction of a new resolution to request a change in the bar and tavern closing time

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in Warren County failed by a vote of 334 for, and 636 against, with Supervisors Monroe, Girard, McDevitt, Taylor, Merlino, Montesi, Strainer, Mason and Westcott voting in opposition.

Mr. Montesi announced that he would second Mr. Kenny's prior motion to introduce a new resolution and Mrs. Sady distributed copies of the draft resolution which proposed requesting that the State Liquor Authority consider a change in the bar and tavern closing times in Warren County from 4:00 a.m. to 3:00 a.m.

Mr. McDevitt noted that this was simply a request for the SLA to consider a change in the bar and tavern closing time, which he said was unlikely to take affect during the upcoming summer season. He further noted that before making their decision, the SLA would hold another public hearing where members of the public, as well as the Board of Supervisors, would have the opportunity to state their opinions for or against the change.

Mr. Strainer stated that he did not believe it was fair to make decisions such as these for the upper County areas based on the needs of the lower County areas and he noted this was not an issue in the Town of Queensbury as most of the bars and taverns in that area closed by 1:00 a.m. He continued that a greater compromise to solve these issues would be to seek out home rule legislation allowing each community to determine their respective bar and tavern closing time and he questioned whether submission of a request to change the bar and tavern closing time to 3:00 a.m. would prevent the County from seeking home rule legislation of this nature. Mr. Auffredou replied in the negative, advising that he did not believe Mr. Kenny's proposed resolution would in any way impact the Board's ability to request modification of the SLA's legislation.

Mr. Kenny said anything that could be done to reduce the occurrence of DWI situations was worth the effort and said he believed changing the bar and tavern closing time would reduce this statistic; he added that if even one life could be saved through this initiative, it was well worth the effort. Mr. Kenny called for those Supervisors with one or two bars in their Towns objecting to the earlier closing time to take a moment to consider the hundreds of citizens in that Town who were in favor of the earlier closing times. He continued that it did not make sense to keep bars and taverns open for 20 hours each day, noting that if a person could not get enough to drink by 3:00 a.m., there was a problem. Mr. Kenny concluded that between the Public Hearing held at the April 19<sup>th</sup> Board meeting and the following Legislative & Rules Committee meeting, the owners of only six of the more than one hundred bars in Warren County had come forward to oppose the earlier closing time. He added that by continuing to support these six bars, which represented the minority, those Supervisors opposing the earlier bar closing time were proceeding in a manner which contradicted the democratic process.

Mr. Montesi noted that at the Legislative & Rules Committee meeting, Mr. Dickinson had reluctantly admitted the 3:00 a.m. bar and tavern closing time proposed by Mayor Blais was a fair compromise. He said that along with the Town of Bolton, the Village and Town of Lake George represented the largest portion of the tourism industry and he noted that two of the three had indicated a 3:00 a.m. closing time was acceptable; therefore, he stated, he failed to see why they continued to battle on this issue.

Mr. Dickinson said he upheld his objection to the closing time change and would continue to do so. He cited that the crowd patronizing bars and taverns in the Town of Lake George between 12:00 a.m. and 4:00 a.m. was different from the crowd visiting at 4:00 p.m. and they certainly were not patronizing these bars and taverns 20 hours per day. Mr. Dickinson explained that Lake George was a resort area where people visited to take a break from their normal routines, leading them to be out and about much later. Furthermore, Mr. Dickinson stated that moving the bar and tavern closing time would not

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change DWI statistics as patrons would leave the bar regardless, whether they were there for 4 hours or 20.

Mr. Thomas commented that he agreed with Mr. Strainer's home rule approach which would allow cities and villages to determine their own bar and tavern closing times as they were somewhat different than the towns.

Mr. Conover confirmed that at the April 17<sup>th</sup> Board meeting he had made the motion to table proposed Resolution No. 263, which sought to change the bar and tavern closing time to 2:00 a.m., and refer the matter back to the Legislative & Rules Committee so that the issue could be discussed and input gathered from various sources. He noted that now a different piece of legislation was being put before the Board, seeking to change the bar and tavern closing time to 3:00 a.m. Mr. Conover stated that he valued the importance of the Committee structure and believed that a piece of legislation like this should be introduced at the Committee level, coming to the Board only after it had been approved at that level; he added that prior characterizations of the Committee structure as "foot dragging" or unnecessary were totally incorrect. Mr. Conover concluded it was irrefutable that the pause had resulted in the introduction of a different piece of legislation.

Mr. Kenny noted there were several members of the public wishing to comment on this issue. Chairman Geraghty extended privilege of the floor to those members of the public wishing to speak, but asked they each limit their comments to three minutes each.

Michael O'Connor, Warren County resident, said he felt strongly about this issue and supported both the 2:00 a.m. and 3:00 a.m. closing times. He said he believed this was a quality of life issue and those opposed to the change were few in number; he added that if the towns were polled, they would find very little support for opposition to the proposed legislation. Mr. O'Connor stated that he was very disappointed with what he was seeing and believed the opposition to be somewhat filibustering in nature. He commented that Mr. Monroe, speaking as Chairman of the Legislative & Rules Committee, had succinctly outlined the situation, advising that the Legislative & Rules Committee had already voted down the change in closing time, so they should not expect a different vote if the issue were returned once again. Additionally, he continued, the referral to the Public Safety Committee was a different matter that should be considered apart from the change in closing times. Mr. O'Connor stated that this quality of life issue had a significant financial impact, more so to the City of Glens Falls than to other areas, and he noted that if they wished to continue the rejuvenation of the City of Glens Falls, they would need to make it more interesting for people to live on the upper levels of buildings in the City and the current atmosphere was not conducive. He said he had learned of complaints from some motel owners in other areas that catered to families who were not happy about the late closing times either, because people returning late at night were disruptive to other guests. Mr. O'Connor asked the Board members to consider who they were catering to by retaining later closing hours and he encouraged them to support the proposed legislation through a vote at the current meeting, rather than returning it to the Committee level where the idea would likely be voted down once again.

Larry Waimon, Warren County resident, read aloud a prepared statement in favor of earlier bar closing times, a copy of which is on file with the Clerk of the Board's Office.

Mayor Blais said he appreciated the time and consideration given to the Village of Lake George, as well as the other individuals who had come to speak on the matter. He apprised that when this issue had first arisen, he had distributed a survey to all of the bars and taverns located in the Town and Village of Lake George to determine their feelings on the bar closing issue; he noted that eight of the twelve responses he had received indicated that the change would not make any difference to them. Mayor

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Blais said he had learned long ago that the way to accomplish business was to settle upon a compromise that helped everyone, rather than continuing heated discussions and arguments. Therefore, he continued, he was in attendance to encourage the Board to vote on the matter, and he said he believed the 3:00 a.m. closing time was a just and fair compromise and he opined that if enacted in Warren County, the same change in closing time would likely spread to Saratoga County.

Doug Frost, owner of the Fire & Ice Bar & Grill, questioned what actions the City of Glens Falls had taken to try and curb the disruptive behavior happening on South Street. Additionally, he questioned whether an even earlier closing time would be requested in the future if the problems persisted once a 3:00 a.m. closing time was enacted and stated his belief that if the City did not find a more effective way to address the problems, they would not be eradicated. Mr. Frost stated that while he, and many other bar owners, had no issue with changing to a 3:00 a.m. closing time, the real issue at hand was the activity occurring on South Street, which should be addressed, and he noted that a change in the bar and tavern closing time was not an effective solution. Mr. Frost concluded that regardless of the closing time imposed, bar and tavern owners would still have to deal with the types of people causing the disruptive behavior.

Mr. Vanselow commented that he had an issue with receiving resolutions only moments before he was expected to vote on them. Out of curiosity, he questioned whether the proposed resolution, if approved, would be forwarded to the SLA with a complete narrative indicating the contentious nature of this issue. Mr. Auffredou responded affirmatively, advising that if the resolution was approved, he intended to forward the request to the SLA along with copies of the minutes, resolutions and correspondence from all of the Committee and Board meetings where the issue was discussed, along with a summarization of the situation, in order to present a complete picture of the actions leading up to the Board's ultimate decision.

There being no further discussion on the proposed resolution, Chairman Geraghty announced that a roll call vote would be held to determine whether the proposed resolution would be moved to the floor. Roll was called and the motion was carried by a majority vote of 585 for and 385 against, with Supervisors Conover, Frasier, Bentley, Vanselow, Dickinson, Merlino, Sokol, Thomas, Wood and Geraghty voting in opposition.

Mrs. Sady restated that a motion was needed to bring proposed Resolution Nos. 266 and 319 - 328 to the floor. Motion was made by Mr. Taylor, seconded by Mr. Montesi and carried unanimously.

Chairman Geraghty called for discussion on resolutions or requests for roll call votes.

Mr. Thomas requested a roll call vote for proposed Resolution No. 303, *Approving the Warren County Smoking and Tobacco Use Policy*, stating that he objected to the section which sought to prohibit smoking within 50' of all County buildings. While he said he could understand restrictions preventing smoking in doorways and entrances, he believed the 50' restriction was a bit much. Mr. Monroe agreed, adding that the regulation was overreaching.

Mr. Dickinson requested a roll call vote for proposed Resolution No. 296, *Authorizing Conceptual Approval for the King's School to Construct a Pedestrian Railroad Crossing Area for Students to Access their Athletic Fields on the Opposite Side of the Railroad Tracks*. When asked to elaborate upon his concerns regarding the proposed railroad crossing, Mr. Dickinson advised that he did not feel the crossing provided sufficient safety measures for the groups of children that would be using it. He explained that the school was located on one side of the railroad and their athletic fields on the other, and in order to reach them the King's School transported the younger children by bus/car, while older

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children walked around the block. Mr. Dickinson said that the School wanted to build a crossing, which would not include any lights or signals, but rather would incorporate fencing and gates through which the children would be shepherded with adult supervision. He commented that he foresaw the potential for great disaster in these procedures and he did not feel sufficient insurance was available to protect the County. Mr. Dickinson concluded that he believed the crossing should be revised to include lighted signals. Mr. Merlino noted that this issue had been discussed on several occasions and the proposed crossing had been approved by SNCR (*Saratoga North Creek Railway*), the County's Railroad Operator; he added that this would be one of the approximately 80 private railroad crossings. He continued that the King's School was prepared to expend \$150,000 to construct the crossing which would include fencing and gates to corral the children into the specified crossing area in order to make it as safe as possible. Mr. Merlino pointed out that currently, the older school children were walking down a busy section of Route 9, where there were no sidewalks available, to reach the fields, presenting a danger through this route as well. Mr. Vanselow commented that when freight operations began a similar situation would occur in the Town of North Creek. One point, he noted, was that most trains ran on a dependable schedule which could be monitored and crossings scheduled accordingly.

Mr. Kenny requested a roll call vote for proposed Resolution No. 328, *Resolution Requesting Further Restriction by the New York State Liquor Authority of Hours of Sale of Alcoholic Beverages within Warren County*.

Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 266 - 328 were approved as presented. The Mortgage Tax Report was submitted, as well as the following Proclamations: Older Americans Month; and Mental Health Month.

Concluding the agenda review, Chairman Geraghty called for announcements.

Mr. Dickinson apprised that one of his grandchildren had recently visited the Up Yonda Farm with his wife; he said their visit had been very enjoyable and they had returned with many wonderful photos. Mr. Dickinson commented that Up Yonda was a wonderful place to visit with children.

Mr. Strainer announced that his nephew would be graduating from Queensbury Highschool in June and he congratulated him on being one of the top five in the entire United States for volunteerism hours. He noted there were a lot of good kids contributing to their communities.

Mr. Bentley apprised of the upcoming fishing derby that would be held in the Town of Horicon during the following weekend.

Mr. Monroe reported on the Adirondack Day meeting recently held in Albany, NY, noting that the reception was well attended by many members of the State Senate and Assembly and provided highlights on the Adirondack Region. He said during the meeting they had learned that the Adirondack Gateway Council had applied for two grants which would be of benefit to Warren County, one for broadband studies and another for Brownfields studies and cleanup, which were very significant. Mr. Monroe advised the hearings on classifications of the Finch Lands would begin soon and he urged his fellow Board Members to pay attention to the hearings as their outcome could affect hundreds of residents in Warren County.

In light of the upcoming Memorial Day Holiday, Chairman Geraghty reminded everyone to honor their Veterans and he encouraged attendance at community events.

Mr. Conover acknowledged recent appropriations by the Towns of Queensbury and Lake George, as well



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as the Village of Lake George, to purchase a fourth boat washing station in connection with the invasive species program. He also noted that the Town of Chester had recently voted in favor of purchasing a wash station which would be implemented to serve the Loon Lake area. Mr. Monroe explained that the Town of Chester had applied for a grant opportunity through the Warren County Soil & Water Conservation District which they believed would allow any funding awarded to be used for the purchase of a wash station for Schroon Lake. Mr. Conover commented that the Counties of Essex and Washington were both considering adoption of an invasive species transport law, similar to the one enacted by Warren County and he credited Mr. Monroe with leading the initiative to spread the legislation to neighboring counties.

There being no further business to come before the Board of Supervisors, on motion made by Mr. Mason and seconded by Mr. Sokol, Chairman Geraghty adjourned the meeting at 11:44 a.m.