

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, MARCH 21, 2014**



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 Vanselow.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Kenny, Frasier, Vanselow, Dickinson, Merlino, Strough, Seeber, Sokol, Beaty, Westcott, Thomas, Wood and Geraghty - 18. Supervisors Brock and Simpson, Absent - 2.

Motion was made by Mr. Vanselow, seconded by Mr. Dickinson and carried unanimously to approve the minutes of the February 21st Board Meeting, subject to correction by the Clerk of the Board.

Commencing the agenda review with the report by the Chairman of the Board, Chairman Geraghty read aloud a listing of meetings he had attended since the last Board Meeting; he noted that in addition, he had attended two meetings with representatives of the Police Benevolent Association (PBA) to begin collective bargaining negotiations. *A copy of the Chairman's Report is on file with the items distributed at the Board Meeting.*

Moving on to the next agenda item, Chairman Geraghty called for reports by Committee Chairmen on the past months meetings or activities and the following were given: Supervisor Dickinson, Invasive Species; Supervisor Merlino, Public Works and Tourism; Supervisor Seeber, Mental Health; Supervisor Sokol, Health Services; Supervisor Thomas, Budget; Supervisor Wood, Public Safety; Supervisor Conover, Finance; Supervisor Monroe, Real Property Tax Services, Gaslight Village Ad Hoc and Park Operation & Management; Supervisor Girard, Extension Services and County Facilities; Supervisor McDevitt, Mental Health; Supervisor Taylor, Economic Growth & Development and Personnel; Supervisor Frasier, Human Services.

Mr. Dickinson began his report by noting that on Friday, March 14th, he had attended EDC (*Economic Development Corporation*) Warren County's Appreciation Day held at Gore Mountain, during which complimentary lift tickets were offered. He said the event had been well attended and he had enjoyed participating. With regards to the February 28th Invasive Species Sub-Committee meeting, Mr. Dickinson reported the purpose of the meeting had been to discuss the allocation of the remaining \$150,000 included in the 2014 County Budget for invasive species eradication efforts; he reminded the Board Members that a total of \$300,000 had been included in the 2014 County Budget for this work, \$150,000 of which had already been earmarked for invasive species efforts in Lake George. Mr. Dickinson advised that after extensive discussion, the Committee had voted in favor of splitting the remaining funds between the Towns of Chester, Lake Luzerne, Horicon (\$41,666.67 each) and Queensbury (\$25,000 for Glen Lake), as represented by proposed Resolution No. 120 of 2014. He continued that a second Invasive Species Sub-Committee meeting was held on March 6th to interview responders to the RFP (*request for proposals*) issued to provide services in relation to the SEQRA/EIS (*State Environmental Quality Review Act/Environmental Impact Statement*) process required to implement a Local Law

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intended to impose mandatory boat washing and inspection regulations on a County-wide basis. Mr. Dickinson apprised that the quotes received for this work had been much higher than anticipated and they had hoped that through this interview process they would learn why the services were so expensive and possibly determine ways in which the costs could be decreased. However, he stated, the only suggestion they had received was to complete the work in stages which would spread the contract costs out over a period of time, which the Committee did not feel was the right answer. Mr. Dickinson said the Committee had decided to take a different approach and hold discussions with various County personnel to determine how much of the SEQRA/EIS work could be done on an in-house basis to reduce the associated costs. Concluding his report, Mr. Dickinson pointed out proposed Resolution No. 169 of 2014 (*Amending Resolution Nos. 47 of 2014 and 73 of 2014 - Increasing Amount of Advance for the Boat Wash Stations*), noting that prior Resolution Nos. 47 and 73 of 2014 had authorized the advance of \$100,000 to fund the purchase of five boat washing stations in anticipation of reimbursing grant funding. He advised that although they had initially anticipated the costs for the five boat washing stations would be less than the \$100,000 advanced, the final costs had totaled \$112,731, requiring the advance of an additional \$12,731 to complete the purchases; he noted that the SAVE Group had committed to contribute reimbursing funds to the County for this additional expenditure. Mr. Dickinson explained part of the reason for the higher cost was due to the fact that one of the boat washing unit was a more expensive, self-sufficient model.

Mr. Merlino advised the Public Works Committee had met on February 26th, during which the most important discussions had pertained to the appropriation of additional funding for road paving work. He further advised the Committee had approved proposed Resolution Nos. 150-155, all of which were included in the resolution packet. Regarding proposed Resolution No. 150, *Authorizing Out-of-State Travel for Five (5) Department of Public Works Employees to Attend the Road Institute Paver Screed Operation and Adjustment and Paver Compaction and Maintenance Training*, Mr. Merlino noted that although the Public Works Committee had approved out-of-State training for four DPW employees, the decision had subsequently been made to include authority for an additional DPW staff member to attend training upon the request of Jeffery Tennyson, Superintendent of Public Works. He added that the increase in cost to provide training for the fifth DPW staff member was minimal and would ensure that the pertinent staff members obtained the appropriate training to complete their jobs efficiently. Regarding the upcoming Organics Management Workshop meeting that would be held on April 4th, Mr. Merlino advised that Ruth Lamb, the Workshop organizer, had successfully achieved sufficient attendance to fill the meeting; he added that Ms. Lamb was very efficient and knowledgeable and he felt the Workshop meeting should be very interesting. Although the Tourism Committee had not met since the last Board Meeting, Mr. Merlino apprised they had completed their Winter focus promotions and were now entertaining inquiries for spring/summer travel information. He added that the new white water rafting brochure was complete and copies were available at the Tourism Office. Mr. Merlino said the Tourism Department staff had attended many consumer shows, the last of which was a AAA event in Long Island, NY. He noted that the Tourism Department had already received 44,000 requests for summer/spring information, which was an increase over the prior year. Finally, Mr. Merlino apprised the Tourism Department had developed a new brochure focused on assisting international visitors, highlighting a number of interesting points in Warren County.

Ms. Seeber advised she had attended the Warren-Washington County Community Services Board meeting where she had learned the Community Services Board continued to see reductions in funding, sustaining a decrease of \$56,000 between 2008 and 2014; additionally, she noted that they had not received any cost of living increases over the past six years, while service numbers continued to climb. Ms. Seeber apprised the 58-bed facility run by the Office of Community Services for housing of indigent people with mental health disabilities had a six-month waiting list, showing that the services were clearly needed and she commented that this organization did a lot of good work for Warren and

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Washington Counties. She announced that May was Mental Health Awareness Month and on May 9th from 11:30 a.m. - 2:00 p.m. a Mental Health Awareness event would be held at the Charles Wood Theater that would include a luncheon and the presentation of community awards. Ms. Seeber encouraged attendance at this event to show support and recognition to those in the community who worked so hard to make a difference in this field. She advised the Sixth Annual Hike for Hope (*Cody's Climb*) would be held on May 18th at Prospect Mtn. in Lake George and she said this was another great awareness event. Finally, Ms. Seeber pointed out that the resolution packet included a Proclamation identifying the week of April 6-12, 2014 as National Crime Victims' Rights Week; she asked everyone to consider how quickly 1.7 seconds passed and she noted that was exactly how long it took for a person to be victimized by crime. Ms. Seeber advised the District Attorneys Offices of Warren and Washington Counties would be jointly sponsoring their annual breakfast awards ceremony in honor of Crime Victims' Rights Week at 9:00 a.m. on April 7th at A B&B on the Green in Hudson Falls, NY. She explained during this meeting many members of law enforcement in the victims' services community would be recognized for their hard work and she encouraged attendance at this event also, as it was open to the members of the Board of Supervisors and the public, as well.

Mr. Sokol reported that the Health Services Committee had met on February 28th, holding discussion regarding LPN staffing, which was currently comprised of either full-time or per diem positions, and the desire to create part-time LPN positions. He explained it was difficult to retain LPN staffing at Westmount Health Facility as many times these staff members left for positions at other facilities. Mr. Sokol pointed out proposed Resolution No. 168, *Authorizing the Creation of up to Eight Part-Time LPN Positions for Westmount Health Facility and Authorizing an Appropriation of Funds for Said Positions*, and he noted there would be no salary increases associated with this action, although the positions would receive some pro-rated sick and personal leave time. Mr. Sokol continued that discussion had also been held regarding the status of outstanding IGT (*Intergovernmental Transfer*) revenues from the State of New York. He advised a letter had been sent to the State regarding the County's concerns about the outstanding funds which now totaled in the neighborhood of \$2.8 million. Mr. Sokol advised payment for the overdue IGT revenues in the amount of \$1.4 million was anticipated to be received in June of 2014. He noted that the Committee had also held discussion in an executive session regarding an outstanding balance due to Westmount Health Facility, following which proposed Resolution No. 147, *Authorizing Acceptance of Settlement for Resident at Westmount Health Facility*, was approved; he explained in this settlement agreement, the County would receive a lump sum payment of \$30,000 with the remaining \$16,110 to be paid upon the conclusion of a property sale. Finally, Mr. Sokol apprised that there would be no Westmount business discussed at the upcoming March 28th Health Services Committee meeting; however, he added, a special Committee meeting had been scheduled for April 3rd for the sole purpose of discussing the prospective sale of the Westmount Health Facility.

Mr. Thomas stated that the Budget Committee had met on March 5th with the main purpose of the meeting being to discuss the referral from the Public Works Committee concerning the appropriation of additional funding for County Road projects. He recalled that when the 2014 Budget was developed, they had anticipated providing additional funding for road projects, and although the Public Works Committee had supported the idea of providing an additional \$1.5 million in funding, the Budget Committee had voted in favor of providing an additional \$1 million, in consideration of other unanticipated costs the County would need to address in 2014 and 2015, and had forwarded this recommendation to the Finance Committee. Concerning outstanding IGT funding, Mr. Thomas advised at the Intercounty Legislative Committee of the Adirondacks meeting held on the prior day, a report had been given by a NYSAC (*New York State Association of Counties*) representative indicating that State and Federal representatives had been meeting and were very close to settling upon an agreement that would allow the IGT payments to be released. Concluding his report, Mr. Thomas advised the Warren County Soil & Water Conservation District had started "The Farm Talks", which were a series of free,

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two-hour programs for individuals interested in hobby or subsistence farming, homesteading or personal food production. He said the first session had been about beekeeping and backyard maple syrup production, while the upcoming session, scheduled for March 28th, would be about improving soil and growing hops. Mr. Thomas commented that The Farm Talks program had been developed in an effort to fulfill commitments to the State's AEM (*Agricultural Environmental Management*) Program, while encouraging farming activities and production of local products within Warren County; he advised that anyone seeking additional information on this program should visit the Warren County Soil & Water Conservation District's website.

Ms. Wood stated that the Public Safety Committee had met on March 3rd where they had discussed basic housekeeping issues, such as approving contract renewals, updates/approvals of emergency plans, and one request for approval to submit an application for Homeland Security grant funding. Ms. Wood apprised that she had attended the first of The Farm Talks sessions and would be attending upcoming meetings, as well. She said this was a very good program that provided a lot of valuable information and she encouraged others to attend.

Mr. Conover reported that the Finance Committee had met on March 12th, approving proposed Resolution Nos. 115, 116, 158-163, 165-167 and 169, all of which were included in the resolution packet. With regard to proposed Resolution No. 165, *Amending Resolution No. 427 of 2013; Authorizing Second Amendment to the Independent Contractor Agreement with Jacob Hume for Additional Funding*, Mr. Conover pointed out that this resolution would increase the contract by \$2,000, but noted that the funds were available within the existing Information Technology budget. He then directed the Board's attention to proposed Resolution No. 167, *Authorizing Agreement with Heber Associates, Inc. for Temporary Workers to Perform Accounting Functions in the Treasurer's Office*, which included a contract rate of \$20 per hour plus a 29% agency fee, total amount not to exceed \$15,000, to assist with accounting functions during a maternity leave and while training new staff members.

Mr. Beaty questioned the hourly rate for the temporary assistance and Mike Swan, County Treasurer, responded it would be \$20 per hour, plus a 29% agency fee, which would total approximately \$26 per hour. Mr. Beaty stated that the hourly rate seemed a bit high and he questioned what qualifications were required of the temporary staffing to fulfill the assistance needs of the Treasurer's Office. Mr. Swan advised that at the end of August, the person being promoted to fill the Accountant position in his Office would be departing for a 12-week maternity leave; he explained this person maintained a CPA (*Certified Public Accountant*) designation and they would be seeking assistance from a person with similar qualifications. Mr. Swan pointed out that the Accountant position was not an entry level book keeping position, and in fact, was a critical part of his Office staff serving as second in line to the Deputy County Treasurer, and receiving a salary of \$61,600. He concluded that the contract would not incur an additional cost to the County as funding was available within the salary codes of the existing 2014 Budget.

Resuming his report, Mr. Conover pointed out proposed Resolution No. 169, *Amending Resolution Nos. 47 and 73 of 2014 - Increasing Amount of Advance for the Boat Wash Stations*, advising that the additional appropriation of \$12,731 would be reimbursed by the SAVE group and would not incur a cost to the County. Regarding proposed Resolution No. 166, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Department of Public Works County Road Improvement Budget; Amending 2014 Warren County Budget*, he advised that while the additional funding provided was not at the level requested by the Public Works Committee, the Budget and Finance Committees had agreed to review the matter later in the year to determine whether further funding could be appropriated to reach the \$1.5 million funding level requested; however, he added, given the other anticipated expenditures facing the County, he did not know if additional funding

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would be available. In closing, Mr. Conover noted that as per the recent Treasurer's Report, it appeared the property tax revenues received were about \$2 million less than they had been at this point in 2013 and he asked all Towns to remit the property tax payments they had received to the County as quickly as possible.

Mr. Monroe advised the Real Property Tax Services Committee had met on March 4th, approving proposed Resolution Nos. 156, *Cancelling or Correcting of Assessments and Refunds of Taxes*, and 157, *Refunding Ten Percent (10%) Deposit to Highest Bidder at 2013 Foreclosure Auction on Parcel of Property Located in the Town of Queensbury and known as Tax Map Parcel No. 301.20-1-31*. He noted that the Committee had also discussed the possibility of increasing the Veterans' combat tax exemption from 15% to 25% , the same option afforded to the school districts, but said the Committee had refrained from taking any action on this item.

Regarding the March 10th Gaslight Village Ad Hoc Committee meeting, Mr. Monroe advised a report on the status of the Park construction schedule had been provided, noting that construction had ceased for the winter and would recommence in early April with completion expected by June 30th; he added that the bids for the balance of the construction work for the Park were due back on March 31st. Mr. Monroe advised some discussion had been held on the land swap agreement, as well as about the interest paid by the County in association with the bonding costs incurred by the Village of Lake George upon purchasing the Town of Lake George's share in the property. He explained that although the County had agreed to pay the bonding costs for half of the property purchase price, in 2012 the County had actually paid based on the full purchase price, resulting in an overpayment to the Village of Lake George. Therefore, he continued, the County owed a balance of only \$5.74 for the interest accrued for the years 2012-2014, and he advised proposed Resolution No. 119 authorized this payment. Mr. Monroe said discussion had also been held regarding a request received from the Village of Lake George for the County to pay 62% of the costs associated with an audit the Village was required to perform in association with the grant funding received for the Park project. He noted the total cost of the audit was \$12,000 and the County's 62% share would be \$7,440. Mr. Monroe stated his opinion that this expense would be more appropriately paid from the Capital Project fund, rather than the operating fund, because the expense related to the purchase of the property and not maintenance or operations. Paul Dusek, County Administrator, advised that preliminary discussions with the County's Accountants had indicated this would not be an eligible expense for the Capital Project; however, he added, this suggestion had triggered an inquiry as to whether this expense might be grant eligible. Mr. Dusek noted the matter was currently being explored and that was why a resolution resolving the issue had not been included in the resolution packet. Mr. Monroe apprised funding was available within the operations budget to cover the expense, but said he felt they should make sure the appropriate funding source was used.

Mr. Monroe advised the Park Operations & Management Committee had met on March 10th to discuss outstanding property, school and sewer district taxes owed on the Park property from 2009, totaling \$29,108.24, which were incurred because the sale had closed after the taxable status date in 2008. He added that although they would have to pay these taxes to the Town of Lake George, the funds would ultimately come back to the County. Mr. Monroe said the Committee had voted in favor of paying the outstanding taxes and he noted that at the end of 2013 there had been a surplus of \$43,000 in parking revenues that could be used to pay these taxes; however, he said, he once again questioned whether this funding source should be used when it might be more appropriate to use monies from the original Capital Project as the expense was associated with the purchase of the property.

Mr. Girard advised he had not attended the last Cornell Cooperative Extension (CCE) meeting, but had been in contact with Jim Seeley, CCE Executive Director, who indicated that they were still working on

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establishing solar power facilities to help heat the CCE building which currently used electric heating units that incurred exorbitant costs. He noted there had been some talks about the Countryside Adult Home joining in this venture and he said he believed this matter would be addressed further by the County Facilities Committee in order to further the effort for the upcoming construction season. Regarding the March 4th County Facilities Committee meeting, Mr. Girard advised the Committee had discussed the proposal to construct a pole barn-type structure for housing Office of Emergency Services response vehicles and equipment, ultimately referring the issue to the Finance Committee to determine a source of funding for the construction which was estimated to cost \$120,000. He further advised that the Finance Committee had decided to table the request and the County Facilities Committee would continue to consider the alternate options available.

Returning to the issue of solar power, Mr. Dickinson advised the Town of Lake George had been considering switching to solar power for some time, but the process had been impeded by the lack of space to place the necessary equipment to harness solar power. He said they had recently signed a contract with a company called Apex that had a solar farm located in Washington County which would benefit both the Town and Village of Lake George; he added the projected savings over the life of the 20-year project term was \$4 million for the Village of Lake George and \$3 million for the Town of Lake George. Mr. Dickinson advised there were time constraints that had to be complied with, but said he would be happy to share the contact information for this company with CCE. Mr. Monroe questioned whether the virtual net metering bill that allowed solar panels to be located remotely from the user had been approved; he noted that when the Town of Chester had been considering the use of solar power two years ago, there had been a requirement that the panels be located within 400' of the building. Mr. Dickinson responded this had been an issue for the Town of Lake George in prior years, but said he assumed the virtual net metering bill had been passed because Apex had offered a contract.

Mr. Strough commented that the Town of Queensbury had entered into a similar process to seek out a solar power company to achieve a savings and had found one firm that would guarantee a 25% per kWh savings. He apprised the real savings was achieved in the amount of electricity not being delivered to the site and the associated taxes for that energy. For example, Mr. Strough continued, if solar power was used for 30% of the Town's needs, they would not be paying for 30% of the delivery charges and taxes previously charged. He advised that when looking for a solar energy provider, each organization needed to review multiple contracts and determine which best fit their individual needs. Mr. Strough advised he had learned a lot about these services through the Town of Queensbury's search and was willing to assist anyone seeking further information.

Mr. McDevitt advised that on February 27th he had met with Kristine Duffy, Ed.D., President of SUNY Adirondack, to talk about the Governor's Start Up NY program and educational contributions to job creation in the area that met the needs of the times. He said this had been a good meeting and he advised he had provided Joan Sady, Clerk of the Board, with information for the Supervisors regarding this initiative and he hoped a proposed resolution could be presented at the April Board Meeting. Mr. McDevitt introduced Brian Durant, SUNY Adirondack Vice President for Academic and Student Affairs, to speak on the matter further. Mr. Durant apprised that with Dr. Duffy's leadership and assistance from the SUNY Adirondack Board of Trustees, they continued to meet groups interested in the Start Up NY program and explore the potential program parameters for SUNY Adirondack. He said the meeting mentioned by Mr. McDevitt had been part of Dr. Duffy's effort to connect with both Warren and Washington Counties to solicit feedback and put forth information as SUNY Adirondack solidified which options made sense for the college programmatically. Mr. Durant concluded that they hoped to provide further documentation of this process next month.

Continuing his report, Mr. McDevitt advised a couple of very important Mental Health meetings had

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been held over the past month, one of which had been held on March 7th regarding Chemical Dependency, followed by a major meeting of this nature held in Hudson Falls, NY incorporating various components of the community including those from the law enforcement, district attorney, public health and counselor fields to discuss the growing recognition of the major problem of heroin addiction. He stated that in the last five years the number of heroin addicts had doubled nationally and a group was being formed to discuss and positively address this issue; he added earlier that week the New York State Senate had formed a committee, on which Senator Little served, to address this problem on a State level. Mr. McDevitt stated that heroin addiction posed a public health problem, the mode of operation for which should be to assist with treatment, as opposed to incarceration, for non-violent offenders, while the sellers of this substance should be jailed. He concluded that more information would be forthcoming on this issue and he hoped they would be successful in developing a solution to this very difficult problem.

Mr. Taylor advised he had recently attended his first EDC Board Meeting as a representative for Warren County, and he noted Mr. Strough had also attended in representation of the Town of Queensbury. He said the majority of the information presented at the meeting had related to the level of cooperation between economic development organizations in the area and the EDC's transition to a more transparent operational procedure in association with their efforts to comply with PAAA (*Public Authorities Accountability Act*) regulations. Mr. Taylor apprised the Personnel Committee had met on March 12th, approving proposed Resolution Nos. 134-144, 164 and 168, all of which were included in the resolution packet; he then proceeded to provide a brief outline of the resolutions noted.

Mrs. Frasier advised the Human Services Committee had met on March 3rd, approving proposed Resolution No. 133, *Amending Resolution No. 684 of 2013 Regarding Lease Renewal with the Church of St. Sacramento in the Town of Bolton to Amend Payment Schedule to Include Reimbursement for Electric, Water and Fuel Oil*, on behalf of the Office for the Aging, as well as several budget amendments for the Employment & Training Administration which were included in proposed Resolution No. 116. She expounded that during this meeting a lengthy discussion had been held relative to the GED exam which had been changed to TASC (*Test Assessing Secondary Completion*) and the reduction in the number of adults registering for the test. Mrs. Frasier explained that the prevailing feeling was that the Common Core State Standards made the test more difficult and harder to pass and therefore the number of registrations had decreased. She said the Committee had discussed the need to determine ways in which to achieve higher registration numbers for course completion and although no solutions were determined, the Committee had decided in favor of drafting a letter to Senator Little and Assemblyman Stec expressing concerns and seeking further insight on this matter.

At Chairman Geraghty's prompting, Ms. Wood announced the month of March marked Maple Days in the Town of Thurman where every weekend the local maple sugar houses were open and inviting visitors. She noted that on the prior weekend the Jack Wax party had been held for the American Cancer Society and she had been glad to see so many people from different towns visiting. Ms. Wood invited everyone to attend upcoming Maple Days events, stating it was a good way to get out and about during the weekend.

Chairman Geraghty recalled Mr. Dickinson's prior announcement regarding the EDC event held at Gore Mountain and he advised of a recent newspaper article indicating the West Mountain Ski Resort was having a fantastic season because of all the snow this winter. Regarding the recent NY State High School Boys Basketball Tournament held at the Glens Falls Civic Center, Chairman Geraghty advised this was the first year that all 11 Sections of New York State were represented by a team, meaning that visitors had been attracted from all over the State to Glens Falls. He said a local commitment had been

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made to try and keep the Tournament at the Glens Falls Civic Center as long as it occurred, which was important because the event brought 15,000 visitors to the area this year.

Resuming the agenda review, Chairman Geraghty called for the report by the County Administrator. Mr. Dusek advised he had been contacted by Ed Ellis, President of Iowa Pacific Holdings, LLC - *parent company of Saratoga & North Creek Railway (SNCR)*, who indicated SNCR was planning to begin freight operations. He further advised they would be hauling stone from the northern end of the railroad and he said this would require some stockpiling of stone in the Town of Corinth. Mr. Dusek noted that according to the contracts already in place, SNCR would need to secure approvals for the stockpiling from the Town of Corinth, but would require no additional approvals from the County. He concluded that SNCR wanted the County to be aware freight operations would be commencing, pending resolving any issues they might have with the Town of Corinth. Chairman Geraghty questioned where SNCR would be hauling the stone from and Mr. Dusek replied he believed it was from Tahawus; Mr. Vanselow confirmed this was correct.

Moving on to the next agenda item, Chairman Geraghty advised there would be no report by the County Attorney as Martin Auffredou, County Attorney, was enjoying a well deserved vacation.

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

Minutes from:

1. Warren/Washington Counties Industrial Development Agency and its Executive/Park/Nominating and Civic Development Committees;

Monthly Reports from:

1. Probation;
2. Weights & Measures

National Grid, semi-annual PCB report;

Capital District Regional Off-Track Betting Corp., January 2014 surcharge in the amount of \$4,444.;

The Hyde Collection, letter thanking the Occupancy Tax Committee and Warren County for financial support of two of their 2013 exhibitions;

Adirondack Park Local Government Review Board, Resolution No. 1 of 2014, Requesting Matching Funds for Adirondack Municipalities that Spend Municipal Funds to Prevent, Control or Eradicate Invasive Species in State Owned Waters;

Letter from Mayor Diamond from the City of Glens Falls, extending his appreciation to DPW Superintendent Jeff Tennyson and the department for their assistance in clearing snow in the City for the State basketball tournament.

Continuing to the reading of resolutions, Mrs. Sady announced proposed Resolution Nos. 116-169 were mailed and, subsequent to mailing, proposed Resolution Nos. 134 and 150 were amended. She advised a motion was needed to approve proposed Resolution Nos. 134 and 150, as amended.

Motion was made by Mr. Dickinson, seconded by Ms. Wood and carried unanimously to approve the amendments to proposed resolution Nos. 134 and 150.

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Mrs. Sady noted the resolutions relating to the filling of vacant positions were proposed Resolution Nos. 134-141 and she stated that unless a roll call vote was requested, they would be approved in the collective vote. Finally, Mrs. Sady advised a motion was necessary to bring proposed Resolution Nos. 115 and 170 to the floor.

Motion was made by Mr. Thomas, seconded by Mr. Dickinson and carried unanimously to bring proposed Resolution Nos. 115 and 170 to the floor.

Chairman Geraghty asked if there were any requests for roll call votes and none were made.

Regarding proposed Resolution No. 127, *Approving the Warren County Fire Mutual Aid Plan*, Mr. Thomas advised the Mutual Aid Plan was not attached to the resolution; therefore, he stated, he was not sure if he was comfortable voting on the resolutions since he did not know what changes had been made.

Mrs. Sady advised the Mutual Aid Plan had been emailed to each member of the Board of Supervisors and Chairman Geraghty confirmed this statement, adding that, as per his request, the changes had been highlighted for easy identification. Chairman Geraghty advised the majority of the Plan remained the same as it had been since 1951, with only a few technical changes being made.

Mr. Thomas then questioned proposed Resolution No. 140, *Authorizing the Warren County Sheriff to Fill the Vacant Position of Computer Programmer due to Promotion*, inquiring whether the necessary services could be provided by the County's Information Technology Department, rather than employing a separate staff member for the Sheriff's Office. Mr. Dusek replied he had discussed this issue with Bud York, Warren County Sheriff, and found that the amount of work required by the Sheriff's Office warranted the additional position. He added that the Computer Programmer would coordinate with the Information Technology Director so there would be a consolidation of oversight for the work. Sheriff York agreed with Mr. Dusek's statements, noting that Michael Colvin, who had recently been promoted to Director of the Information Technology Department, had previously filled this position and had written many of the programs used by the Sheriff's Office in order to avoid the need to obtain costly vendor programs. Sheriff York advised their plan was to hire a person to fill the Computer Programmer position that would be trained by and work with Mr. Colvin to maintain the programs he had written.

Returning to prior discussion on proposed Resolution No. 167, *Authorizing Agreement with Heber Associates, Inc. for Temporary Workers to Perform Accounting Functions in the Treasurer's Office*, Mr. Beaty asked if the temporary worker they sought would have the same CPA designation as the employee planning to take maternity leave and Mr. Swan replied they were hoping to receive the assistance of a temporary worker with at least a four-year Accounting degree; Mr. Beaty then asked if this level of education was a requirement and Mr. Swan replied in the negative. Mr. Beaty inquired how the hourly rate of almost \$26 (*\$20 plus the 29% Agency fee*) had been established and Mr. Swan replied initially they had based the figure on the salary of the Accountant position and the figure had been confirmed by Heber Associates, Inc. as the general rate they would likely pay. Mr. Beaty asked if any other temporary staffing agencies had been contacted and Mr. Swan replied affirmatively, but indicated Heber Associates was the only agency that had access to this type of staffing. Finally, Mr. Beaty questioned whether other members of the Treasurer's Office staff could cover for the Accounting position during the maternity leave to eliminate the need for this contract and Mr. Swan replied in the negative, advising he had received two high level resignations in the past week and would be filling those positions by promotion, requiring a re-training of existing staff to assume new positions. He advised the Office was already short staffed and would be training for new positions which would not leave

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staff available to cover the temporary vacancy.

There being no further discussion on resolutions, Chairman Geraghty called for the vote on resolutions, following which Resolution Nos. 115-170 were approved, as presented. Three Proclamations (*naming the week of April 6-12, 2014 as National Crime Victims' Right Week; naming the week of March 3-9, 2014 as MS Awareness Week; and naming the month of March 2014 as American Red Cross Month*) were submitted, as well as two Certificates of Appointment (*appointing two members to the Warren County Youth Board and appointing one member to the Saratoga-Warren-Washington Counties Workforce Investment Board*).

Continuing the agenda review, Chairman Geraghty called for announcements.

Mr. Thomas advised NYSAC had prepared a simple proposal to lower the burden to NY State taxpayers by taking the \$1 billion included in the Governor's budget proposal for proposed tax rebates and the associated administrative costs, and instead use those funds to lower the amount charged to each County for the Medicaid program. He explained this was a clear, understandable reduction whereby they would eliminate all of the administrative costs associated with the proposed tax rebates. Mr. Thomas advised in the case of Warren County, the projected Medicaid share for 2014 was \$12,591,000 and this figure could be reduced by \$5,582,000, or 13.7%, if the NYSAC proposal was implemented. He suggested adoption of a resolution supporting the NYSAC proposal and he commented that although he understood this action might be a bit late, as the State Budget was due on April 1st, he felt Warren County should go on record in support of this measure.

Motion was made by Mr. Thomas, seconded by Mr. Monroe and carried unanimously to waive the Rules of the Board requiring that a resolution be presented in writing. Mrs. Sady advised this would be Resolution No. 171.

Motion was made by Mr. Thomas, seconded by Ms. Wood and carried unanimously to approve a resolution in support of NYSAC's proposal that the State use the approximately \$1 Billion earmarked in the 2014 Budget proposal for rebates to taxpayers and the associated administrative fees to reduce Medicaid costs to the taxpayers of New York State. Mrs. Sady advised this would be Resolution No. 172.

Mr. Strough commented that he had visited the Town of Thurman to take part in the Maple Days events and had a wonderful time doing so. He said that each site had provided a tour and presented a different story; Mr. Strough advised that anyone who had not participated in this event should do so.

Chairman Geraghty offered privilege of the floor to those in attendance wishing to address the Board of Supervisors.

Dr. Seeley advised the VITA (*Volunteer Income Tax Assistance*) program being administered by CCE was taking place that day in Room 6-103 of the Warren County Municipal Center and he invited anyone interested in the program to visit.

Travis Whitehead, Town of Queensbury resident, advised he would like to comment on what he cited to be mischaracterizations about the missing map (*depicting Airport-related easements the County had purchased in the 1940's*) which had been reported on in *The Post Star* as recently as that morning. He said there were some comments made at the January 30th County Facilities Committee Meeting which he felt were taken out of context, at the very least. Mr. Whitehead stated there were no problems with the deed which accompanied the missing map and he noted copies of the deed were available and was referenced by succeeding owners; the problem, he added was with the missing map. Referring to

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comments made at the January 30th County Facilities Committee Meeting, Mr. Whitehead advised Mr. Auffredou had chosen to quote the following, from the legal preamble to the deed:

“Whereas, the CAA construction program requires that certain trees, brush and obstructions on the property of the party of the first part as shown on map prepared by the US Engineers Office, New York District, dated August, 1943 shows trees to be cut within the specified area as shown on said map”

Mr. Whitehead recalled that Mr. Auffredou had simply pointed out the “certain trees” verbiage and noted that after seven years he didn’t know whether those trees still existed; however, Mr. Whitehead stated, the deed continued on to explain exactly what “certain trees” referred to and he continued to read the following excerpts from the deed document, as follows:

“NOW, for and in consideration of the sum of Twelve Hundred Dollars (\$1,200)...assigns forever an easement or right to enter upon to trim trees and brush, recut and retrim and remove trees and brush, building or buildings, tower or towers, poles or cables or wires...in the sole discretion of its officers”

Mr. Whitehead advised Ross Dubarry, Airport Manager, had indicated that many things had changed since the 1940's, such as the rate at which Airplanes flew into the Airport, so they were not sure if these factors would apply; however, Mr. Whitehead pointed out, the deed clearly indicated that at the sole discretion of its officers, decisions would be made as to what trees, structures, etc. could be topped, removed or cut and did not make deference to whether those trees were dead. He continued that the deed made reference that it would apply to all kinds of Airplanes, forever, and had been carried from deed to deed. The problem, Mr. Whitehead stated, was the missing map and he noted the deed referenced that the map was to be filed with the Warren County Clerk’s Office, which never happened, and he said it seemed they all knew who the responsibility fell on.

Mr. Whitehead stated the second item discussed on January 30th that had bothered him was a slide displayed by Mr. Dubarry outlining the RPZ (*Runway Protection Zone*) and areas of concern for trimming, which reflected a black, jagged area depicted as the “Estimated Easement Limits”. He said he found this to be troublesome because he had done a lot of searching with others and found a lot of airport maps, not one of which showed “Estimated Easement Limits”; he added that a number of the maps showed “easement” or “existing easement” but they had found no qualifications for an “Estimated Easement Limit” and yet that was what was presented to the Board of Supervisors and was what people continued to refer to. Furthermore, Mr. Whitehead stated there was some doubt this easement existed and he read from 2007 documents and deeds relating to a transfer of a portion of the Chartrand property to Queensbury 400, a.k.a Thomas Cahill, both of whom the County was negotiating with to obtain these very same deeds at a cost of \$1 million:

“the removal of existing vegetation within the subject 50' strips is not permitted, however, the owners will be allowed to trim such trees, if necessary, pursuant to the existing Airport easement...moreover cutting will also be allowed if such trees are deceased or diseased”

Mr. Whitehead apprised this 2007 deed also provided references to boundaries for the land which stated that it “began at a point on the easterly side of the County Line Road in the Town of Queensbury, at the intersection of the northerly clearing line, as shown on a map prepared by the US Engineers Office, NY District dated August 1943 referred to in a grant of clearing rights made by James Reilly to Warren County dated May 31, 1944 and recorded in the Warren County Clerk’s Office June 8, 1944 Book of Deeds No. 228, page 225” running from thence on a course south 74 degrees 58 minutes 37 seconds east along said northerly clearing line a distance of 200'...”. Mr. Whitehead said he felt this verbiage provided sufficient support to present this case in a Court of Law and undertake procedures to correct defects in property descriptions in order to substantiate the easements already acquired by the County

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in the 1940's and he stated that before spending \$1 million of taxpayer dollars to re-acquire the same easements, this action should be considered.

Fred Austin, Town of Queensbury, advised he had been following the Airport map issue through recent newspaper articles and stated he believed the issue at hand to be a matter of safety. He recalled that many years ago when the idea of building a bridge for bike traffic over Quaker Road in the Town of Queensbury was presented, there were many members of the Board of Supervisors that had been opposed to spending money for the construction; however, he stated, after reviewing the results of a consultant report indicating that a child could not safely cross Quaker Road by bicycle, they had agreed the bridge was necessary. Mr. Austin stated it was not likely that many would be in favor of removing the bridge now, as it had become necessary for safe travel along the Warren County Bikeway. He continued that he saw the Runway Extension as another safety necessity for planes flying into the Warren County Airport and he stated that they should strive to make these landings as safe as possible. Mr. Austin concluded his statement by reiterating this was a safety issue, not a land acquisition issue.

Mr. Monroe apprised the Adirondack Park Local Government Day Conference would be held in Lake Placid, NY on April 9-10 and would include interesting presentations on biomass heating and invasive species; he encouraged everyone to attend the Conference.

Concluding the agenda review, Chairman Geraghty advised once the Board Meeting adjourned, a workshop session would be held to discuss the future of emergency services in Warren County, which all were welcome to attend.

On motion made by Mrs. Frasier and seconded by Mr. Taylor, Chairman Geraghty adjourned the Board Meeting at 11:10 a.m.

A workshop session was held from 11:11 a.m. until 12:39 p.m., during which time those in attendance discussed the future of emergency services in Warren County. In these discussions, each Supervisor in attendance was asked to present the issues facing their towns with respect to emergency services and the prevailing responses indicated decreasing volunteerism and the lack of funding to sustain a paid emergency services staff. Information was distributed by Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services, and Micki Guy, EMS Coordinator, outlining the EMS scenario in Warren County and identifying some suggestions for the future; a copy of this documentation is on file with the items distributed at the Board Meeting. Mr. LaFlure, Ms. Guy and Travis Howe, Executive Director of the Mountain Lakes Regional EMS Council, all spoke with regards to emergency services concerns. At the close of the Workshop, Chairman Geraghty indicated these discussions would continue at future Public Safety Committee Meetings in an effort to formulate a plan to address the emergency services issues and provide the best possible service to the citizens of Warren County.