

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **LEGISLATIVE**

DATE: March 8, 2006

Committee Members Present:	William Thomas, Chairman
Supervisors F. Thomas	Joan Parsons, Administrator
Belden	Joan Sady, Clerk
Gabriels	
Monroe	
Stec	
Merlino	Carlene A. Ramsey, Sr. Legislative Office Specialist
Girard	

Mr. F. Thomas called the meeting to order at 11:55 a.m.

Motion was made by Mr. Belden, seconded by Mr. Gabriels and carried unanimously to approve the minutes of the previous meeting, subject to correction by the Clerk.

Mr. Thomas referred to the Agenda packet, previously mailed to each of the Committee members and a copy is on file with the minutes.

At Agenda Item 1, Mr. Thomas noted the Adirondack Park Local Government Review Board had requested the County's support of a resolution recommending and approving of the Adirondack Park Agency's decision to continue public comment at the start of each meeting.

Motion was made by Mr. Belden and seconded by Mr. Gabriels to authorize a resolution in support of the Adirondack Park Local Government Review Board's Resolution #16 of 2005 entitled, "Resolution Recommending and Approving of the Adirondack Park Agency's Decision to Continue Public Comment at the Start of Each Meeting;" and to authorize a resolution be prepared for the March 17th Board meeting. A copy of the proposed resolution is on file with the minutes.

Mr. Monroe reported the APA had considered a proposal to eliminate the public comment at the beginning of each of their meetings. However, he said he understood that after much discussion, the APA had decided to re-instate the public comment period at the start of each meeting. He noted a Warren County resolution in support of such would serve to reinforce the County's stand.

At Agenda Item 2, Mr. Thomas noted the Adirondack Park Local Government Review Board had requested the County's support of a resolution in support of Senate Bill #5890 Regarding Campgrounds within the Park subject to the same regulations as those outside the Park.

Motion was made by Mr. Gabriels, seconded by Mr. Stec and carried unanimously to authorize a resolution in support of Adirondack Park Local Government Review Board's Resolution #17 of 2005 entitled, "Resolution of Support for Senate Bill #5980 Regarding Campgrounds Within the Park subject to the Same Regulations as Those Outside the Park;" and to authorize a resolution be prepared for the March 17th Board meeting. A copy of the proposed resolution is on file with the minutes.

Mr. Monroe explained the proposed regulations would require a campground owner to limit a camper's stay to no longer than 90 days, or leave a site unoccupied for longer than 120 days. He stated the campground owners position was that such regulations would devastate their business, since many campers were seasonal. In addition, he said he understood the APA had decided to back off on the proposed regulations, at least for the time being.

Turning to Agenda Item 3, Mr. Thomas explained the Real Property Tax Services Committee had submitted a request for a resolution in opposition to legislative action to prohibit a county from retaining any excess proceeds from an auction of land obtained via foreclosure actions. He noted a bill was being developed to require any excess funds to revert back to the previous land owner.

Motion was made by Mr. Stec and seconded by Mr. Girard to authorize a resolution in opposition to new legislation that would alter the disposition of excess proceeds which result from the auction of land obtained via foreclosure actions and to authorize a resolution be prepared for the March 17th Board meeting. A copy of the proposed resolution is on file with the minutes.

Mr. Monroe clarified that in a mortgage foreclosure, the sale proceeds were used to cover any expenses related to the foreclosure action. However, once the costs of collection were covered and the outstanding mortgage was satisfied, he said, the excess proceeds would be turned over to the former property owner.

Mr. Monroe further commented that in the case of a delinquent tax foreclosure, the sale proceeds are used to satisfy the outstanding taxes and any excess proceeds are retained by the County. He expressed his concern with the rare instances where the excess proceeds might provide a huge profit on the misfortune of others.

Mr. Stec thanked Mr. Monroe for the clarification and expressed his support to oppose such legislative action.

Mr. Thomas called the question and motion was carried by majority vote, with Messrs. Monroe and Gabriels; authorizing a resolution in opposition to legislative action which would prohibit a county from retaining any excess proceeds from an auction of land obtained via foreclosure actions and to authorize a resolution be prepared for the March 17th Board meeting. A copy of the proposed resolution is on file with the minutes.

Mr. Thomas returned to Agenda review at Item 4, as he explained the State of New York Legislative Commission on Rural Resources had requested the County's support of New State Legislation that requires training for members of county, city, town and village planning boards (S.6316/A.9259).

Motion was made by Mr. Stec and seconded by Mr. Belden to authorize a resolution in support of new State Legislation that requires training for members of county, city, town and village planning boards (S.6316/A.9259).

Discussion ensued.

Mr. Stec commented that he felt a required 4-hour course was a minimal requirement that would be relatively easy to acquire.

Mr. Monroe observed that it was sometimes hard to recruit planning board members and he felt the required training would only make recruitment more difficult.

Mr. Gabriels commented that he found a logical disconnect in the comments set forth in the Memorandum In Support (attached to Item 4). He declared that required annual training would have a definite fiscal impact on the Town of Bolton's Planning Board members who would have to donate their time for such training and he saw this as another unfunded mandate. In addition, he objected to the phrase "training opportunities" because he thought of "opportunity" as voluntary or allowed. He noted the language in the proposed legislation presented the training as mandatory, not optional.

Messrs F. Thomas and Monroe concurred with Mr. Gabriels' comments.

Mr. O'Connor, as a member of the Community Action Board, reported that numerous representatives from the State have queried what type of training was provided at the local level. Mr. O'Connor expressed his concern with the State Agencies complaining about the lack of training, yet they continually fail to develop anything to help at the local level. He echoed the sentiments expressed by Messrs. Thomas and Gabriels.

Mr. F. Thomas called the question and the motion failed, with all Committee members in opposition.

Regarding Agenda Item 5, a Referral from Community Action Agency Board of Directors concerning the impact of zero funding of the Community Service Block Grant, Mr. F. Thomas acknowledged that President Bush had eliminated funding from the federal budget. He observed the Community Action Agency had requested the County send a letter of support to reinstate the funding.

Mr. O'Connor, as a member of the Community Action Agency Board of Directors, commented he attended today's meeting to clarify the Agency's request. He explained the Agency was actually seeking a resolution from the full Board of Supervisors supporting the reinstatement of funding for the Community Services Block Grants on the Federal level, with copies to be sent to the President, Senators Schumer and Clinton, Congressman Sweeney, Senator Little and Representative Sayward. In addition, he explained the Supervisors who sit on the Community Action Agency Board of Directors would also like their names to be listed as sponsors of the resolution.

Following a brief discussion, motion was made by Mr. Belden, seconded by Gabriels and carried unanimously to support the reinstatement of funding for the Community Services Block Grants on the Federal level, with copies to be sent to the President, Senators Schumer and Clinton, Congressman Sweeney, Senator Little and Representative Sayward, as well as the Chairman of the appropriate oversight committee. Resolution to be sponsored by both the Legislative Committee **and** Supervisors Mason, O'Connor, Tessier and Champagne (as members of the Board of Directors of Warren-Hamilton Counties Action Committee for Economic Opportunity, Inc.). Committee authorized a resolution be prepared for the March 17th Board meeting and a copy of the letter of request is on file with the minutes.

Mr. F. Thomas requested the Committee to consider an additional item, not listed on the formal Agenda. He suggested it could be considered Item 5a, which was a request for a resolution in support of the RC & D Councils. He reported President Bush had eliminated funding of the federal coordinators from the federal budget. He requested the Committee authorize a resolution in opposition of funding cuts for federal coordinators (similar to R.131.2005).

Motion was made by Mr. Stec, seconded by Mr. Gabriels and carried unanimously to oppose funding cuts for federal coordinators (similar to R.131.2005) and to authorize a resolution be prepared for the March 17th Board meeting. (No resolution request was provided.)

Messrs. O'Connor and Wm. Thomas left the meeting at 12:12 p.m.

Mr. F. Thomas reported Agenda Item 6 was a request for support of Assembly Bill #9807 which would require the Public Service Commission to suspend its ongoing deregulatory proceedings.

Motion was made by Mr. Girard and seconded by Mr. Belden in support of Assembly Bill #9807 which would require the Public Service Commission to suspend its ongoing deregulatory proceedings.

Mr. F. Thomas commented that he did not want his constituents to be faced with phone bills with a 300% increase with no additional services. He said he felt the Public Service Commission should be working for the public and not the private entities.

Mr. Stec pointed out the request had originated with the CWA which seemed to have a lot of strong arguments to suspend the deregulatory proceedings. However, he also wondered what was not being said in the Union's letter.

Mr. Gabriels suggested that further information could be obtained before the Committee moved for any action. Mr. Monroe concurred that he would be interested in reviewing a copy of the bill and memorandum in support.

Motion was made by Mr. Stec, seconded by Mr. Gabriels and carried unanimously to table further consideration to allow time to obtain a copy of the bill and memorandum in support.

Turning to Agenda Item 7, Mr. Thomas noted, related to a request from the New York State Association of Counties' Resolution in Support of Preserving Counties' Role in the Future of Off Track Betting.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to support the New York State Association of Counties' Resolution in Support of Preserving Counties' Role in the Future of Off Track Betting and to authorize a resolution be prepared for the March 17th Board meeting. A copy of the proposed resolution is on file with the minutes.

Mr. Monroe reported there was a major bill regarding amendments to the APA that would have a big impact. He requested the bill be considered at the next meeting since the Governor wanted to act on it during this executive session.

Mr. Monroe agreed that he could provide a summary of the bill (with tables) to each of the Committee members.

There being no further business to come before the Committee, on motion by Mr. Monroe and seconded by Mr. Belden, Mr. Thomas adjourned the meeting at 12:17 p.m.

Respectfully submitted,
Carlene A. Ramsey, Sr. Legislative Office Specialist