

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: LEGISLATIVE & RULES**

**DATE: AUGUST 15, 2011**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BENTLEY  
THOMAS  
MONROE  
SOKOL  
MCCOY  
WOOD

**OTHERS PRESENT:**

DANIEL STEC, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS CONOVER  
GOODSPEED  
KENNY  
LOEB  
MERLINO  
STRAINER  
TAYLOR  
WALT LENDER, EXECUTIVE DIRECTOR OF THE LAKE GEORGE ASSOCIATION  
DON LEHMAN, *THE POST STAR*  
THOM RANDALL, *ADIRONDACK JOURNAL*  
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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**COMMITTEE MEMBER ABSENT:**

SUPERVISOR GIRARD

Mr. Bentley called the Legislative & Rules Committee meeting of the to order at 11:00 a.m.

Motion was made by Mr. Monroe, seconded by Mrs. Wood and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the agenda packet were distributed to the Committee members; *a copy of the agenda packet is on file with the minutes.*

Commencing the agenda review, Mr. Bentley said Item No. 1 under New Business was a request from Suffolk County for support of reform of the funding policy for the New York State Common Retirement Fund (NYSCRF).

Motion was made by Mr. Thomas, seconded by Mrs. Wood and carried unanimously to support Suffolk County's request that the New York State Legislature take action to reform the funding policy for the New York State Common Retirement Fund. *The necessary resolution was authorized for the August 15, 2011 Board meeting.*

Mr. Bentley stated there were 5 items referred from the August 10, 2011 Finance Committee meeting and Referral Item No. 1 was to request State Legislators to support the use of Environmental Protection Fund monies for the eradication of Asian Clams in Lake George and prioritize it above the purchase of additional land. Mr. Monroe noted it was a clear matter of the necessity to prioritize the invasive species above the purchase of additional land.

Motion was made by Mr. McCoy, seconded by Mrs. Wood and carried unanimously to request State Legislators to support the use of Environmental Protection Fund monies for the eradication of Asian Clams in Lake George and prioritize it above the purchase of additional land. *The necessary resolution was authorized for the August 15, 2011 Board meeting.*

Referral Item No. 2, Mr. Bentley continued, was to request that the State budget line item for invasive species be increased or dedicated to the eradication of the Asian Clams in Lake George. Mr. Monroe mentioned that the State had budgeted \$17 million for the acquisition of land which should be reallocated to the eradication of invasive species. Paul Dusek, County Attorney/Administrator, commented that the previous motion and this issue could be combined into one resolution. Mr. McCoy withdrew his motion to request State Legislators to support the use of Environmental Protection Fund monies for the eradication of Asian Clams in Lake George and prioritize it above the purchase of additional land and Mrs. Wood withdrew her second to the motion.

Motion was made by Mr. McCoy, seconded by Mr. Thomas and carried unanimously to request State Legislators to support the use of Environmental Protection Fund monies for the eradication of Asian Clams in Lake George and prioritize it above the purchase of additional land; and to request that the State budget line item for invasive species be increased or dedicated to the eradication of Asian Clams in Lake George and that funding budgeted for the purpose of land acquisition be reallocated to same. *The necessary resolution was authorized for the August 19, 2011 Board meeting.*

Mr. Bentley noted Referral Item No. 3 was to request the Federal Government to dedicate funds to the eradication of Asian Clams in Lake George. Mr. Monroe suggested funding from the USDA (United States Department of Agriculture) Forest Legacy Program be reallocated to the eradication of invasive species.

Motion was made by Mr. Monroe, seconded by Mr. Sokol and carried unanimously to request the Federal Government to reallocate funds from the USDA Forest Legacy Program for the purpose of eradicating invasive species. *The necessary resolution was authorized for the August 19, 2011 Board meeting.*

Mr. Bentley apprised that Referral Item No. 4 was to request the Lake George Park Commission to initiate an additional fee for boats on Lake George in order to generate additional funds toward the eradication of Asian Clams in Lake George.

Motion was made by Mr. McCoy, seconded by Mr. Thomas and carried unanimously to request the Lake George Park Commission to initiate an additional fee for boats on Lake George in order to generate funds toward the eradication of the Asian Clams in Lake George. *The necessary resolution was authorized for the August 19, 2011 Board meeting.*

Mr. Bentley said Referral Item No. 5 was to request the County Attorney to research the authority of the County to enact a local law regarding Aquatic Invasive Species due to the bottom of the lake being owned by the State and portions of the lake being owned by Washington County and he pointed out that it related to Pending Item No. 1.

Mr. Bentley advised that he was aware there were actions being taken to enact a State Law regarding invasive species. Mr. Dusek reported that he had completed the necessary research pertaining to enacting a local law. He noted that Suffolk and Nassau Counties had a local law in place which required that boats be cleaned prior to and between launches in order to ensure that invasive species are not spread from lake to lake. He advised that if the Committee decided to move forward with a local law, the Public Hearing could be set for the September 16, 2011 Board meeting. He added that if a State Law was enacted it would supersede the local law. Mr. Loeb questioned the process of cleaning boats at the dock and the possibility of invasive species entering the water during cleaning and Mr. Bentley clarified that the law would require boat owners to clean their boats off site when relocating their boats between lakes.

Motion was made by Mr. Monroe, seconded by Mr. McCoy and carried unanimously to introduce a local law regarding prevention of invasive species, to set a Public Hearing for same and to request State Legislature to expedite the State Law regarding same. *The necessary resolution was authorized for the August 19, 2011 Board meeting.*

Mr. Bentley stated that Pending Item No. 2 was for the County Administrator to draft a letter to be distributed to the DPW (Department of Public Works) Superintendents of the individual Towns and the County requesting a survey of areas where beaver dams have created a problem, such as flooding. Mr. Dusek noted he was still in the process of working on this item.

Mr. Bentley said there was a referral from the Real Property Tax Services Committee requesting an amendment to the State Law which required the newest property tax bill for any given parcel be paid first, before older bills could be paid. Mr. Monroe noted that allowing property owners to pay the oldest tax bills first would keep many properties out of foreclosure. Mrs. Wood asked if this would cause an issue by allowing property owners to remain consistently behind on their tax bills. Mr. Monroe commented that there would be some who would take advantage of the system; however, he added, the taxes, interest and penalties would eventually be paid to the County.

Motion was made by Mr. Monroe, seconded by Mr. McCoy and carried unanimously to request an amendment to the State Law which required the newest property tax bill for any given parcel to be paid first, before older bills could be paid, to allow the older taxes to be paid first and to allow multiple parcels owned by one party to be treated individually, thereby avoiding foreclosure actions. *The necessary resolution was authorized for the August 19, 2011 Board meeting.*

As there was no further business to come before the Legislative & Rules Committee, on motion made by Mr. Sokol and seconded by Mrs. Wood, Mr. Bentley adjourned the meeting at 11:13 a.m.

Respectfully submitted,  
Charlene DiResta, Sr. Legislative Office Specialist