

Warren County Board of Supervisors

Committee: Legislative & Rules

Date: October 1, 2012

Committee Members Present:

Supervisors Monroe
Bentley
Thomas
Girard
Sokol
Wood
Frasier

Others Present:

Daniel G. Stec, Chairman of the Board
Martin Auffredou, County Attorney
Joan Sady, Clerk of the Board
Kevin Geraghty, Budget Officer
Supervisor Conover
Supervisor Loeb
Supervisor Mason
Dave Wick, Executive Director, Lake George
Park Commission
Walt Lender, Executive Director, Lake George
Association
Don Lehman, *The Post Star*
Nicole Livingston, Second Deputy Clerk

Mr. Monroe called the Legislative & Rules Committee meeting to order at 11:15 a.m.

Motion was made by Mrs. Wood, seconded by Mr. Thomas and carried unanimously to approve the minutes of the previous Legislative & Rules 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.*

Mr. Monroe referred to Item 1 under the New Business portion of the Agenda, a request for a resolution in support of the initiative by the Lake George Park Commission to implement mandatory boat inspections on Lake George. He extended privilege of the floor to Dave Wick, Executive Director of the Lake George Park Commission (LGPC), to discuss the matter with the Committee.

Mr. Wick explained that the LGPC had reviewed all possible alternatives and had determined that implementing mandatory boat inspections would be the best option to protect Lake George from the introduction of invasive species. He advised that the Commissioners would vote on this in November, thereby providing the LGPC the statutory authority to implement new rules and regulations. Mr. Wick stated they were considering regional inspections consisting of four to six stations around the Lake. He outlined the inspection process and noted there would be costs associated with this program; however, he said, the majority of the costs would be borne by transient boaters. He added the LGPC was exploring additional funding sources to assist in this effort and ideas were being generated, including requesting Federal assistance. He pointed out there was strong support for mandatory inspections by the municipalities around the Lake, as well as support from not-for-profit groups. Mr. Wick remarked that said program would have very little impact on "Lake George only" boaters, which accounted for approximately 60% of the boats on the Lake.

Mr. Girard entered the meeting at 11:22 a.m.

Mr. Monroe questioned if Mr. Wick was seeking a resolution of support for this program or a resolution implementing this program and Mr. Wick replied at this time, the LGPC was only seeking support from the County until the Commissioners approved the program in November.

Motion was made by Mr. Sokol, seconded by Mr. Bentley and carried unanimously to support the initiative of the Lake George Park Commission to implement mandatory boat inspections on Lake George. The necessary resolution was authorized for the October 19, 2012 Board meeting.

In response to an inquiry, Mr. Wick apprised the LGPC would hope to have the program in place for 2013, pending approval of the regulatory authority and securing of the necessary funding. Mr. Monroe requested Mr. Wick to keep the Board members informed of the progress of the program.

Martin Auffredou, County Attorney, asked if a similar resolution of support was being sought from Washington and Essex Counties and Mr. Wick responded not at this time; however, he said, they would be contacting those Counties in the near future. Mr. Auffredou mentioned the importance of getting the Adirondack Park Agency (APA) involved as well and Mr. Wick agreed, noting he did have a meeting scheduled with the APA next week to present this information.

Mr. Mason opined he would like to see mandatory boat inspections for all waterbodies in the County given the fact that this was a tourism driven area. Mr. Auffredou suggested a meeting be scheduled with Mr. Wick, the LGPC Commissioners, Washington and Essex Counties, the not-for-profit groups surrounding the Lake, the APA and the New York State Department of Environmental Conservation (NYS DEC) to discuss the possibility of partnering to implement a regulatory program as quickly as possible. Mr. Wick acknowledged the suggestion and advised he could schedule such a meeting.

Mr. Monroe expounded the next item on the Agenda was for discussion regarding the possible construction of a casino gambling resort in Warren County. He referenced the presentation made at the September 21st Board of Supervisors meeting and he recognized that there was legislation being considered which would not provide counties with a local option as to whether or not they wanted a casino in their county. Mr. Monroe expressed his opinion that Warren County should advocate for such a local option to be included in any legislation being considered.

Motion was made by Mr. Girard, seconded by Mr. Thomas and carried unanimously to authorize a resolution to the New York State Legislature requesting that any legislation relating to casino gambling construction include language giving the Counties the local option of whether or not they wished to support it. The necessary resolution was authorized for the October 19, 2012 Board meeting.

Mr. Monroe advised Item 3 on the Agenda concerned the map amendments to transfer building rights on lands acquired by New York State. He recalled the recent announcement by Governor Cuomo that the State would be purchasing 69,000 acres of former Finch land, which were productive forest lands, over a five year period at a cost of approximately \$50 million. Mr. Monroe pointed out that such action would destroy 200 hunting and fishing cabins and would also eliminate nearly 1,600 building rights. Following meetings with the Adirondack Association of Towns and Villages, he informed they had determined there was a way to preserve those building rights because they were needed in some communities for affordable housing and assessed value when dealing with a 2% tax cap. Mr. Monroe stated the APA had a map which allocated the density within a town and if the APA was willing to do so, the building rights could be transferred to the town and allocated elsewhere prior to the State purchasing the property in order to protect the towns assessed value. He suggested that the Committee approve a resolution supporting this concept.

Motion was made by Mr. Bentley, seconded by Mr. Girard and carried unanimously to support the concept of transferring building rights on parcels included in the New York State's purchase of 69,000 acres of former Finch land to other parcels suitable for building. The necessary resolution was authorized for the October 19, 2012 Board meeting.

Mr. Monroe proceeded to the Pending Items portion of the Agenda, and said Item 1 was in connection with the results of a survey of areas where beaver dams had created a problem. He reported that a list of all of the areas in each of the towns was available; however, he noted, there was not really a solution because the beaver dams were located on private lands. He suggested the item be carried forward until the next Committee meeting and if a solution could not be determined at that time, it could be removed from the list.

The next Item, Mr. Monroe remarked, was regarding the proposal that any additional land purchases made by New York State for forest preserve offer an exchange of property which was previously acquired and not used for forest preserve. He asserted there had been discussions with the NYS DEC and the APA and he believed Governor Cuomo's administration supported this concept. He opined there could be movement on this matter in the near future. Mr. Monroe requested that this item be carried forward until there were developments at the State level.

Mr. Monroe apprised the last Pending Item was relative to Resolution No. 427 of 2012 , Urging Congress to Repeal a Portion of the Universal Service Fund Surcharge that Provides Free Cellular Telephone Service to "Income Eligible" Individuals, which was tabled at the July 20, 2012 Board meeting with a request that the matter be referred to Congressman Gibson for an opinion. He added this item should be carried forward until a response was received from Congressman Gibson.

Mr. Bentley requested a resolution be considered asking Congress to fund the war on invasive species.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried unanimously to authorize a request to Congressional representatives requesting Federal funding for the eradication of invasive species. The necessary resolution was authorized for the October 19, 2012 Board meeting.

As there was no further business to come before the Legislative & Rules Committee, on motion made by Mrs. Frasier and seconded by Mr. Sokol, Mr. Monroe adjourned the meeting at 11:55 a.m.

Respectfully submitted,

Nicole Livingston, Second Deputy Clerk