

**WARREN COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING  
FRIDAY, NOVEMBER 17, 2006**

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. William Thomas presiding.

Salute to the flag was led by Supervisor F. Thomas.

Roll called, the following members present:

Supervisors Gabriels, Monroe, Girard, Sheehan, Mason, O'Connor, Kenny, Belden, W. Thomas, Tessier, Stec, Caimano, Champagne, VanNess, F. Thomas, Haskell, and Geraghty - 17.

Absent: Supervisors Bentley and Merlino - 2.

Vacant: Queensbury - 1.

Motion was made by Mr. Mason, seconded by Mr. Tessier and carried unanimously, to approve the minutes of the October 13, 2006 Board Meeting, and the November 3, 2006 Special Board Meeting subject to correction by the Clerk.

Chairman Thomas declared the Public Hearing on the 2007 Tentative Budget open at 10:01 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read Notice of Public Hearing.

Chairman Thomas introduced Supervisor Caimano, Budget Officer, and turned the meeting over to him for the 2007 budget review.

Mr. Caimano presented the following Budget Message:

"Budget Message  
November 17, 2006"

"I was reminded yesterday that I was supposed to give a Budget Message at today's meeting. I wasn't at all sure what I could say to make me, or you, feel any better about the taxes that we all pay for our County services. I knew that the Commissioner of Fiscal and Administrative Services, the Treasurer's Office, the Budget Committee and I had done one heck of a lot of work on this not only since early September, but, along with the other Supervisors, every month of the year.

"Well, serendipitously, I was talking with an acquaintance of mine yesterday, too. This person does not necessarily see eye-to-eye with me on things political. However, the comment she made gave me the lynch pin for what I should say today.

"What she said was that, when disaster struck, it was the County that had to step up to the plate. The disaster could be a county-wide one like a storm, or more personal like a fire

that made people homeless, or simply rescuing a person who was unable to help themselves due to age, illness, or any other of human frailties that hit.

“The County is not the Federal Government or the State Government which pass laws at a great distance and then let you fend for yourself. It is not an educational institution. Nor is it a Local Government that is primarily responsible for managing property problems, water and sewer, and fire and EMS situations. And it is not, by any means, your assessor of record.

“County Government is a body which cuts across a myriad of structures and disciplines, and which has as its management board the people who you see in front of you. People like all the rest of us, but who have to wrestle with this cross section of disciplines, and have to do so with as small a cost possible to the taxpayers. And to do so because it's the County Government in this State that has overarching responsibility to provide that safety net whenever and wherever in the County it is needed.

“So, I want to review with you today a few of the things that are our responsibility, and to show you why the tax rates are as reasonable as is currently practicable.”

A Power Point presentation of the 2007 budget highlights followed. A copy of the Power Point presentation is on file in the Office of the Clerk of the Board of Supervisors with Budget Committee records.

Mr. Caimano outlined examples of services provided to Warren County residents and taxpayers through the various departments within the County.

Mr. Caimano apprised the 2006 adopted budget had \$32,448,164 in the Personal Services Budget and was amended to \$32,798,824, which included any salary changes, the Sheriff's PBA (Police Benevolent Association) union settlement and the reallocation of approximately 120 CSEA (Civil Service Employees Association) jobs, as well as the adjustment of management positions as a result of the reallocation. He added that the 2007 proposed budget for Personal Services was \$34,941,001 which included salary changes effectuated by the settlement of union contracts with the PBA, Alliance and CSEA, 3% salary increase for outside bargaining unit positions, and four new positions added to the budget. He further stated that the total increase from the 2006 adopted budget to the 2007 proposed budget was \$2,492,837, plus 35% for employee benefits which was \$872,493, for a total increase of \$3,365,330. He noted this was an 11.39% increase over the 2006 amount to be raised by tax.

Mr. Caimano noted he had recently learned that the additional dollars anticipated to be needed this year for the Solid Waste and Recycling would not be necessary. Therefore, he recommended that an additional amount of \$500,000 be put into surplus funds to reduce the amount needed to be raised by tax in the budget.

Mr. Caimano expounded, if approved, the 2007 amount to be raised by tax would change from \$33,245,042 to \$32,745,042. He further explained that the increase in the amount to be raised by tax would change from \$3,711,937 (12.5%) to \$3,211,937 (10.8%).

Mr. Caimano outlined his recommendations that were listed in the Power Point presentation. He concluded his presentation by reviewing the Town Tax Rates based on the Tentative Budget. A copy of the information presented is on file in the Office of the Clerk of the Board of Supervisors with Budget Committee records.

Privilege of the floor was extended to Jon Premo, Labor Relations Specialist for the CSEA, and a resident and taxpayer in the City of Glens Falls. He noted he was speaking on behalf of the employees of Warren County. He stated that Legislators passed Legislation and there were Federal and State mandates. He further stated that the employees within this community carried out the will of the Legislators. He added that Civil Service Laws in the State of New York required government entities to ensure appropriate recruitment and retention factors were in place and he said it took qualified people to do that. He concluded that he supported the budget and he thanked the Board of Supervisors for the reallocation of the contracts and added that he thought the County was a fair employer.

Chairman Thomas and Mr. Caimano thanked Mr. Premo for his comments and the professional way it was presented.

Privilege of the floor was extended to Barbara Bennett, a resident of the City of Glens Falls. Ms. Bennett stated she had read the proposed budget and she thought it was a well organized budget. She recognized the amount of work that went into preparing the budget and thanked those individuals involved with the preparation. She concluded that this was the type of budget that was needed to keep things under control.

Chairman Thomas and Mr. Caimano thanked Ms. Bennett for her remarks.

Chairman Thomas declared the Public Hearing on the Amendment to the Lease Agreement with Empire East Aviation open at 10:28 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read Notice of Public Hearing.

Chairman Thomas declared the Public Hearing on the proposed Local Law No. 10 for the year 2006, entitled "A Local Law Amending Local Law No. 3 of 2006" open at 10:30 a.m. and requested the Clerk read the Notice of Public Hearing.

Clerk read Notice of Public Hearing.

There being no one further wishing to speak on the 2007 Tentative Budget, the

Amendment to the Lease Agreement with Empire East Aviation, or the proposed Local Law, Chairman Thomas declared the three public hearings closed at 10:31 a.m.

Privilege of the floor was extended to Supervisor Mason who introduced Jamie White from Warren County Planning and Community Development, to address the Board regarding the Small Business Loan Program.

Ms. White presented a Power Point presentation, which gave a brief overview of how the loan program worked, and a copy is on file with the minutes. She noted they were primarily a micro-enterprise program, which meant they worked with very small businesses. She concluded that the program had received \$2,160,000 in grant funds.

Chairman Thomas recognized Mayor LeRoy Akins, City of Glens Falls, was present at the meeting today and welcomed him.

Chairman Thomas extended privilege of the floor to Paul Pontiff, Chairman of the Glens Falls Civic Center Foundation. Mr. Pontiff introduced Doug Kenyon and Fred Field, both members of the Civic Center Foundation Board. He distributed informational brochures on the Civic Center Foundation to the board members, copies of which are on file with the minutes. He apprised that the Foundation was formed in 2003 and the goal of the Foundation was to help the Civic Center with capital improvements which had previously been unaffordable for the City of Glens Falls.

Chairman Thomas thanked Mr. Pontiff for the information he shared with the board members. Mayor Akins thanked the Chairman and the Shared Services Committee for expanding the conversations about the Civic Center and the current authority that existed and he said he looked forward to continuing those conversations.

Mr. Mason said it was nice to hear positive things about the Civic Center as opposed to the negatives. He added that the Foundation was utilizing the Civic Center for different programs and it not only helped the City of Glens Falls, but also all of Warren County.

Chairman Thomas announced the LDC (Local Development Corporation) meeting that was scheduled for today had been postponed.

Chairman Thomas requested Supervisor Champagne to briefly discuss Resolution No. 726, Supporting Higher Education Center at Adirondack Community College (ACC); Authorizing Commitment from Warren County to Pay One-Third (1/3) of Debt Service, Should a \$2,000,000 Bond Need to be Obtained, which was included in the resolution packets. Mr. Champagne explained the importance of building the Higher Education Center on the ACC campus, which they had been seriously interested in for years in order to get ACC involved in a four-year Baccalaureate program.

Chairman Thomas extended privilege of the floor to Joseph Cutshall-King, Executive Director of Development at ACC. Mr. Cutshall-King apprised ACC was still exploring fund-raising options to support the construction of a Higher Education Center.

Mr. Girard asked if Warren County would be pledging a \$2 million backstop if Washington County decided not to partake in this project. Paul Dusek, County Attorney, clarified that the resolution was contingent upon Washington County adopting the same resolution, otherwise this would project would not happen.

Chairman called for reports by Committee chairmen on past activities and the following gave verbal reports:

Supervisor Gabriels, Personnel; Supervisor Caimano, Tourism.

In connection with the Personnel report, Mr. Gabriels apprised the interview process for the position of the Human Resource Director would begin soon. He stated he would like the entire Personnel Committee involved in the process. Joan Parsons, Commissioner of Administrative and Fiscal Services, said the deadline for applications and resumes was November 20, 2006 and several resumes had already been received.

Mr. Caimano expounded in relation to the Tourism report, the Occupancy Tax Committee and the Tourism Committee had met and had hired a Creative Director for the Tourism Department who would begin work after the first of the year. He added that they had also removed from the RFP (Request for Proposal) the website design and maintenance requirements because the new Creative Director, along with the Tourism Coordinator, could perform that work in-house with the assistance of the Information Technology Director, which would be a savings of \$20,000 to \$40,000. He noted they would be redesigning the Tourism Department and when all was said and done, the overall savings to the County would be approximately \$280,000 for the same type of work that was done last year.

Chairman Thomas referred to Resolution No. 707, Establishing Ad Hoc Committee to Research a One Percent (1%) Sales Tax Increase for Warren County and Naming Members, and noted those members were Mr. Monroe, Mr. Caimano and himself. He said he thought more members should be added to that Committee in order to have more rounded discussions. He stated he would like to add Mr. Kenny and Mr. Champagne.

Motion was made by Mr. Monroe, seconded by Mr. Caimano and carried unanimously to waive the rules in order to amend Resolution No. 707 of 2006.

Motion was made by Mr. Sheehan, seconded by Mr. Monroe and carried unanimously to amend Resolution No. 707 to add Mr. Kenny and Mr. Champagne to the Ad Hoc Committee to research a one percent (1%) sales tax increase for Warren County.

Mr. Haskell spoke concerning Resolution No. 747, Authorizing Energy Performance Contract with Siemens Building Technologies for the Warren County Municipal Center Project and Authorizing a Municipal Lease Agreement with Siemens Building Technologies for the

Financing of the Project. He distributed a packet from Siemens Building Technologies to the board members, a copy of which is on file with the minutes. He stated that Siemens was willing to put up \$2.5 million, which the County would pay back and it had to be budget neutral, as it was the Westmount Health Facility. He noted that the savings in energy costs would amount to the total cost of the project.

Mr. Dusek explained that the County would be committing to the improvements as outlined, if the resolution was approved. Mr. Kenny questioned if the resolution had been authorized at the County Facilities Committee meeting and Mr. Haskell replied it had not, he had just been presented with this yesterday. Chairman Thomas suggested that Mr. Haskell refer the issue to the County Facilities Committee and return it to the full board next month. Mr. Girard requested that the representatives from Siemens Building Technologies be present at that County Facilities Committee meeting to further explain this contract.

Mr. Haskell expounded that with regard to the building project, they had been proceeding with the original plan that was a layout developed by the Unified Court System for the renovation project. He stated there had been a meeting last week with Judge Krogmann, Judge Hall and Judge Breen and unfortunately, Judge Breen was not satisfied with the layout. He said he advised this was the plan and they would proceed on schedule and they could revisit the issue in January as long as there would not be any additional costs to do so. However, he noted, he recently was informed that there would be additional costs to stop the process now and redesign the layout.

Mr. Haskell further explained that to date, Warren County had \$129,210 invested in Clark Patterson Associates for the designs and if they stop the process and adjust it to Judge Breen's satisfaction, that money would need to be spent again. He added that if the process were to stop now, they would not be able to put the bids out for the Health and Human Services Building and the renovations to the Municipal Center as they had originally planned.

Chairman Thomas acknowledged the effort and time that Mr. Haskell had invested into this project. He added that Mr. Dusek had advised that Mr. Haskell should relay the status of the project to the board members.

Mr. Haskell expounded that the County was responsible to provide space for the Court systems. Mr. Caimano said he supported Mr. Haskell and the original plan and further stated the County did not have the money to change the plans. Mr. Kenny questioned if the plan included a new addition on the North end of the County Center, as well as the South end and Mr. Haskell replied affirmatively.

Chairman Thomas asked Mr. Haskell what the estimated cost of project was and Mr. Haskell responded the total price of the project last week was approximately \$57 million and was recently cut back to \$49 million. Chairman Thomas added that one option for the County was to use revenues against that cost, such as rental space, that could mitigate the cost.

Mr. Haskell reiterated that the Court system could force the County to build a building to their specifications. Mr. Dusek confirmed that there was a law on the books that said the County was obligated to furnish court facilities, as well as another law, which the Courts were reviewing, that indicated that the Courts could force the County to build adequate facilities.

Mr. Gabriels requested that Mr. Haskell provide a projection of the equalization and apportionment table with regard to tax increases for this project. He said he agreed that Mr. Haskell should tell the Courts that there would not be changes made to the original plans at this time.

Fred Austin, Building Project Coordinator, apprised the design plans for the courts were the minimum standard and no larger. He added that the Courts would only pay for renovations of court area they already occupied.

Motion was made by Mr. Caimano and seconded by Mr. Stec to support Mr. Haskell in that there would not be additional money spent to redesign the layout of the court area and the project would proceed as it was currently outlined.

Mr. Stec apprised last year the projected cost for the new Health and Human Services building was \$18 million and he said new construction was much cheaper than renovations. He further stated he would not support a \$49 million building project. He noted there had been discussions regarding looking into alternative locations for additional office space, as opposed to additions or renovations to the Municipal Center, and he suggested looking at the CNA building in the City of Glens Falls and the Ramada Hotel in the Village of Lake George.

Mr. Haskell encouraged the board members to wait until the presentation was made at the December 15<sup>th</sup> Board of Supervisors meeting before they decided to make any decisions regarding the building project. He added that the presentation would include a breakdown of prices.

Chairman Thomas advised a resolution was not necessary in order for Mr. Haskell to deny the courts request and to proceed on schedule. Mr. Caimano withdrew his motion and Mr. Stec withdrew his second to the motion.

As a result of further discussion, consensus of the board members was to continue looking into other options for office space as opposed to any additions or renovations at the County Center.

Privilege of the floor was extended to Francis O'Keefe, County Treasurer. Mr. O'Keefe apprised that he would be willing to address the Supervisors concerns in regards to an approximate figure of what each piece of this project would cost each individual town. Mr. Haskell clarified it would only be the figures for the Health and Human Services building because the board members had decided to discontinue discussions regarding any additions

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or renovations to the Municipal Center.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from:

Warren County Soil & Water;  
Warren County Planning Board;  
Warren/Washington County IDA meeting.

Monthly Reports from:

Probation;  
Veterinarian;  
Weights & Measures.

Town of Queensbury, November 2006 Zoning Board of Appeals and Planning Board agendas, Notice of Public Hearing on Tuesday, November 21, 2006.

NYS Rural Opportunities, Inc. (ROI), Senior Community Service Employment Program Meeting Notice.

Town of Hague, Resolution No. 82 of 2006 increasing the Town of Hague's share of sales tax to be applied to the County Budget for Fiscal Year 2007.

Adirondack Park Local Government Review Board, Resolution Nos. 10, 19 and 20 of 2006.

Essex County Board of Supervisors, Resolution No. 351 of 2006 noting their opposition to the Moose River Plains Recreation Area.

NYS Department of Motor Vehicles (DMV), Acknowledging approval of the 2007 STOP-DWI plan for Warren County.

New York State Association of Counties (NYSAC), letter asking for intervention by Congressman Sweeney regarding HAVA funding.

NYS Office for the Aging (OFA), Copy of the Notification Grant Award (NGA) for the Weather Referral and Assistance program extending the program through 12/31/06, as well as grant award for Transportation Program.

Capital District Off-Track Betting Corp., September surcharge in the amount of \$13,305 and 3<sup>rd</sup> Quarter Distribution in the amount of \$80,165.

United States Senate, Announcing the acceptance of applications by U.S. Department

of Justice relative to the Gang Resistance Education and Training (G.R.E.A.T.) Program.

Warren/Washington Counties Homeless Youth Coalition, letter requesting their \$25,000 allocation for 2007.

Fitzgerald, Morris, Baker, Firth, P.C., Copy of Warren/Washington Counties IDA proposed budget for 2007, as well as the Agency's final P&L statement for 2005.

NYS Department of Health (DOH), Drinking Water State Revolving Fund and Final Intended Use Plan from 10/1/06 to 9/30/07, as well as letter advising of Medicaid cap reconciliation savings of \$273,721.

Lake George Park Commission, Announcing the Immediate Release of final draft of the Water-based Recreation Study Plan as well as a letter announcing the development of a consensus-based regional watershed plan governing tree-cutting and stream corridor protection.

NYS Assembly, Acknowledging receipt of Resolution Nos. 659, 660 and 663.

Warren County Sheriff's Office, letter supporting the application submitted by Warren/Washington Counties for a Shared Municipal Services Incentive (SMSI) grant.

Adirondack/Glens Falls Transportation Council, letter requesting the submission of functional classification changes to NYSDOT and FHWA.

NYMIR, Handbook relative to HAVA 2002, improving the electoral process.

Saratoga, Warren/Washington Counties WIB, letter relative to the performance standards and the Youth Program funds.

NYS Department of Labor (DOL), Workforce Investment Area Program Year 2005 Sanction Notification.

Adirondack North Country Association (ANCA), Notice of Annual Meeting Luncheon on 11/30/06 at Hotel Saranac.

NYS Office of Homeland Security, Program Management Survey and FY06 Capability Survey results.

Warren County Cooperative Extension, Warren County Connection, November 2006.

New York State Association of Counties (NYSAC), Acknowledging receipt of

Resolution Nos. 659 & 660; letter of appreciation regarding recent annual seminar in Lake George and their Fall 2006 NYSAC Newsletter.

Joan Sady, Clerk of the Board of Supervisors, letter announcing the retirement of Nancy Hafner as Deputy Clerk of the Board of Supervisors, and the appointment of Nicole Livingston as Deputy Clerk.

Communications, resolutions and reports ordered placed on file.

Chairman called for reading of resolutions and discussion.

Mr. Kenny requested a roll call vote on Resolution Nos. 703, 704 and 707.

Clerk announced that the unnumbered resolutions placed on the Supervisors' desks were as follows: Amending the Tentative Budget was Resolution No. 743, Adopting the Budget was Resolution No. 744, Levying the Tax for the City of Glens Falls was Resolution No. 745, and Making Appropriations for the Conduct of County Government was Resolution No. 746.

Mrs. Sady reported that Resolution Nos. 686 through 726 were mailed and a motion to bring Resolution Nos. 685 and 727 through 746 to the floor was necessary. Motion was made by Mr. Caimano, seconded by Mr. VanNess, and carried unanimously, to bring Resolution Nos. 685 and 727 through 746 to the floor.

Chairman Thomas called for a vote on the resolutions.

Resolution Nos. 685 through 746 were approved. Mortgage Tax Report, Report of Chairman of the Board on Estimate of Sales Tax to be Received Calendar Year - 2007, Report of Equalization and Assessment - 2007; Certificate of Appointment, naming members to the Saratoga-Warren-Washington Counties Workforce Investment Board, were submitted.

Mr. Caimano presented the adopted budget for 2007 as adopted pursuant to Resolution No. 744 of 2006 by the Board of Supervisors on the 17<sup>th</sup> day of November, 2006.

Mr. Kenny announced that on November 30<sup>th</sup> there would be an Old Fashioned Town Hall Meeting, which included City and County Government Officials, followed by a question and answer period. He added that all Supervisors were invited to attend.

Mr. Monroe announced relative to the Adirondack Park Agency (APA), two hundred and fifty hunting/fishing cabins in Franklin County were allowed to remain in the Park.

Mr. Mason expounded he had distributed a diagram of the proposed site for the new District Office for the Soil and Water Conservation, and asked the Supervisors to review it and it would be discussed at the December 15<sup>th</sup> Board of Supervisors Meeting.

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Privilege of the floor was extended to George Weinschenk of Diamond Point. Mr. Weinschenk apprised that the traffic problems had gotten much worse, especially over the summer. He stated one of the problems was that the traffic light on Route 9 at Northway Exit 20 had a sensor on the off ramp to allow traffic off the Northway, which created a back up along Route 9 and on to Route 149 for at least a mile. Chairman Thomas agreed and said Mr. Weinschenk had made a great point. Chairman Thomas suggested a letter be sent to the State protesting the sensor at Exit 20 that was causing traffic to be backed up for miles on Route 9 and 149.

Mr. Belden said he would bring the issue up at the next Traffic Safety Committee meeting. He added that he too had been stuck at the light trying to get on the Northway.

Mr. Gabriels requested that Chairman Thomas send a directive to the Commissioner of DOT (Department of Transportation) apprising them of the issue of concern, given that they were late in their budget season, and he would like to see monies incorporated into their DOT Budget to solve these problems.

The consensus of the Board was that the Chairman send the letter and Mr. Belden would advise the Traffic Safety Committee of the issue.

There being no further business, on motion by Mr. Caimano and seconded by Mr. Champagne, Chairman Thomas adjourned the meeting at 12:35 p.m.