

**WARREN COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING  
FRIDAY, MARCH 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 10:11 a.m.

Mr. William Thomas presiding.

Salute to the flag was led by Supervisor O'Connor.

Roll called, the following members present:

Supervisors Gabriels, Monroe, Girard, Sheehan, O'Connor, Belden, Bentley, W. Thomas, Tessier, Merlino, Stec, Caimano, Champagne, VanNess, Barody, F. Thomas, Haskell, and Geraghty - 18.

Absent: Supervisors Mason and Kenny - 2.

Motion was made by Mr. Belden, seconded by Mr. Merlino and carried unanimously, to approve the minutes of the February 17, 2006 Board Meeting, subject to correction by the Clerk.

Chairman Thomas declared the public hearing on proposed Local Law No. 2 of 2006, entitled "A Local Law Providing for the Maximum Exemption Allowable for the Alternative Veteran's Exemption from Real Property Taxation", open at 10:13 a.m. and requested the Clerk to read the Notice of Public Hearing.

Clerk read the Notice of Public Hearing.

Mr. Stec commented that as the Chairman of the Veterans' Services Committee, he fully supported this more than symbolic means to thank the Veterans in the County and he encouraged other town supervisors to take similar actions in their towns to help offset the town property tax for their Veterans.

Mr. Belden stated he shared Mr. Stec's sentiments, and the Town of Hague had passed a resolution to allow the same exemption that the County would give.

The majority of Supervisors announced that their towns would be passing similar resolutions in support of the Veterans' Exemption within the next month or two.

There being no one further wishing to speak on proposed Local Law No. 2 of 2006, Chairman Thomas declared the public hearing closed at 10:15 a.m.

Presentation of a Memorial Plaque in honor of Linda Curtis was presented by Supervisor Belden. Debbie Trentacoste, sister of Linda Curtis, accepted the plaque and thanked the Board of Supervisors. The board members responded with applause.

William Remington, DPW Superintendent, added that Linda Curtis was a wonderful person and DPW, Warren County and the world would never be the same without her.

Pat Malone, a co-worker and friend of Linda Curtis, introduced the family members that were present. The board members responded with applause.

Chairman Thomas read the Proclamation declaring the month of April 2006 "Parents Who Host, Lose the Most" month in Warren County. He acknowledged the members of the Council for Prevention and the Communities that Care Program that were present and thanked them for their dedication to this program. The board members responded with applause.

Chairman called for reports by Committee chairmen on past activities:

Supervisor Monroe, Finance and Bi- County Ad Hoc; Supervisor Caimano, Occupancy Tax Coordination; Supervisor Sheehan, Support Services; Supervisor Tessier, Airport; and Supervisor Gabriels, Personnel.

Mr. Gabriels reported that Resolution No. 242, Amending Table of Organization and Warren County Salary and Compensation Plan for 2006, was included in the packet and it was a very controversial issue that the Personnel Committee had addressed. He indicated this had been a learning lesson for the Board of Supervisors and elected officials on the intricacies and difficulties of working within the Civil Service Law.

Chairman Thomas recognized Mayor Akins from the City of Glens Falls who was present and he thanked him for coming to the meeting.

Privilege of the floor was extended to County Attorney Paul Dusek to discuss the update of the Pinnacle Report. Mr. Dusek expounded that as a follow up to the discussions that were held, he had reviewed the out-of-pocket costs of \$5,250 in addition to the previously authorized contract of \$35,000. He explained the Finance Committee was concerned about the out-of-pocket expense known as statistical data because it was thought that should be included in the \$35,000. He said that the Pinnacle Advisory Group told him the biggest cost that they were anticipating was a \$2,200 cost for an "In Plan Model" which allowed them to do an economic analysis. He added that the Pinnacle Advisory Group had contacted the company they purchased the "In Plan Model" from and had been advised they could use the one that they had bought last year for another client, for a payment of \$175 as opposed to buying it outright for \$2,200. He noted that they were also able to trim the cost by agreeing to accept all reports from the Pinnacle Advisory Group via e-mail and the County Attorney's Office would do the copying of the reports. Mr. Dusek said he was happy to report that the \$5,250 out-of-pocket expenses was reduced to \$2,550.

Mr. Dusek next referred to proposed Local Law No. 3 of 2006, the Occupancy Tax Law, included in the packet. He apprised that this Local Law was different from the previous Local Law because they had deleted certain parts of Section 19 concerning warrants that the

Treasurer's Office could issue under certain circumstances. This section of the law had been declared invalid by a Court of Law a few years ago, he added. Mr. Dusek advised that those registered to collect occupancy tax would not be required to re-register since it was the second three-year term of the law.

Chairman called for reading of communications.

Clerk read communications, including the following:

Minutes from:  
Office of Community Services for Warren/Washington Counties and  
its subcommittees;  
Warren/Washington Counties IDA;  
Soil & Water Conservation;  
Warren County Planning Board.

Monthly reports from:  
Probation Department;  
Weights & Measures;  
Veterinarian.

Annual reports from:  
Warren County Historian;  
Warren County Sheriff.

Town of Queensbury, March 2006 Planning Board & Zoning Board of Appeals agendas.

State of New York, Department Of Transportation, extending public comment period to  
March 24, 2006 on the draft of the Long Range Statewide Transportation Plan.

Senator Little, acknowledgment of Resolution No. 151 of 2006 providing funds for the  
250<sup>th</sup> Anniversary Commemorative Commission.

Washington County Board of Supervisors, copies of Resolution Nos. 69 & 88 of 2006.

National Grid, semiannual PCB report for the period ending 12/31/05.

Community Preservation Corp., 2005 Annual Report.

U.S. Department of the Interior, 2005 Erie Canal Way National Heritage Corridor Annual  
Report.

New York State Office For Aging:

- 1.) Annual evaluation of the Warren/ Hamilton County OFA conducted on  
02/16/06.

2.) Notification of Grant Award for Nutrition Services Incentive Program in the amount of \$81,003.42.

Lake George Forum, regarding potential development of a convention center in Warren County.

NYS Office of the Attorney General, advising of the Neighborhood Watch conference on May 24, 2006 at Russell Sage College.

NYS Office of Children & Family Services, approval of Warren County's Resource Allocation Plan for 2006.

Theresa Levin, letter of resignation as Purchasing Agent effective March 17, 2006.

Mariagnes DeMeo, letter of retirement as County Auditor effective June 1, 2006.

Joan Sady, letter of appointment of Nicole Livingston as Second Deputy Clerk of the Board of Supervisors effective March 6, 2006.

Communications, resolutions and reports ordered placed on file.

Chairman called for reading of resolutions and discussion.

Mrs. Sady reported that Resolution Nos. 179 through 232 were mailed and a motion to bring Resolution Nos. 233 through 244 to the floor was necessary. Motion was made by Mr. Belden, seconded by Mr. Sheehan, and carried unanimously, to bring Resolution Nos. 233 through 244 to the floor.

Mr. Dusek recommended that Resolution No. 224 either be pulled or tabled because the bid documents that had gone out indicated that it would be on Bidnet, but it was never actually put on Bidnet. He said the process had been invalidated to some extent and his recommendation was to put a re-bid out on it. Motion was made by Mr. Caimano, seconded by Mr. F. Thomas, and carried unanimously, to table Resolution No. 224 of 2006, awarding bid and authorizing contract with Cleveland Brothers Landscaping, Inc. for lawn control and maintenance fertilizer/herbicide/pesticide application for Warren County Sheriff's Office (WC 32-06).

Mr. Caimano referred to Resolution No. 214, entitled "Resolution in Opposition to New York State Legislation Requiring Training for Members of County, City, Town and Village Planning Boards (S.6316/A.9259)", and questioned why there was opposition to training. Mr. Gabriels responded they were against the training being mandated. Mr. Dusek advised to emphasize in the resolved clause of the resolution to read that the Warren County Board of Supervisors opposes any State Legislation which requires mandatory training. Mr. Stec suggested to add "unfunded mandated" training.

A motion was made by Mr. Caimano, seconded by Mr. Stec and carried unanimously to amend Resolution No. 214 of 2006 to read as follows: resolution in opposition to New York State Legislation requiring **unfunded mandated** training for members of county, city, town and village planning boards.

Mr. F. Thomas asked for a roll call vote on Resolution No. 205, Cancelling or Correcting of Assessments and Refunds of Taxes- Real Property Tax Services; Mr. Haskell asked for a roll call vote on Resolution No. 218, Introducing Proposed Local Law No. 4 of 2006 and Authorizing Public Hearing Thereon; and Resolution No. 239, Amending Section II(F) of the Warren County Travel Policy and County Vehicle Use Regulations; Mr. Girard asked for a roll call vote on Resolution No. 215, Resolution in Opposition to Legislative Action which would Prohibit a County from Retaining any Excess Proceeds Resulting from the Auction of Land Obtained via Foreclosure Actions.

Mrs. Sady informed the board members that Resolution Nos. 220 and 221 were mailed and they were duplicates. She noted a motion was needed to amend Resolution No. 220 which was replaced with one entitled "Authorizing Establishment of No Cell Phone Area by Real Property Tax Services Director". Motion was made by Mr. Gabriels, seconded by Mr. Belden, and carried unanimously, to amend Resolution No. 220 of 2006 as explained.

Mrs. Sady reported Resolution No. 197 was mailed and subsequently amended to include the words "Industry Trade Shows" and, therefore, a motion was needed to amend Resolution No. 197 of 2006. Motion was made by Mr. Caimano, seconded by Mr. Merlino, and carried unanimously, to amend Resolution No. 197 of 2006, as explained.

Chairman Thomas called for a vote on the resolutions.

Resolution Nos. 179 through 244 were approved, with the exception of Resolution No. 224 which was tabled and Resolution No. 215 which failed.

Chairman Thomas requested an update on the status of the Public Authority. Mr. Dusek apprised the necessary documents had been submitted to Senator Little's Office and Assemblywoman Sayward's Office, including the request to remove the three year limitation on the Occupancy Tax Law, and he was waiting to hear back from both.

Mr. O'Connor spoke on behalf of the Community Action Agency of Warren and Hamilton Counties, and thanked the Legislative Committee and the Supervisors that supported Resolution No. 217 of 2006, supporting the reinstatement of funding for the Community Services Block Grants on a Federal Level.

Mr. Stec expressed his thanks on behalf of the Veterans' Committee and all the Veterans' in the County, for the boards support on rightsizing the tax incentive for Veterans' on property taxes.

Mr. Monroe reported that in regards to the Gore Mountain Project, the press had

misinformed the community into thinking that the APA had segmented the process and that the expansion of Gore Mountain at the Ski Bowl was tied to the private development project, which it was not.

Mr. Merlino informed the board members that the Town of Lake Luzerne had moved ahead in favor of the Outdoor Drama Theater. Mr. Stec added that the Planning & Community Development Committee would be moving forward with this as well.

Privilege of the Floor was extended to Kathleen Sonnabend, President of the Cedar Court Homeowners' Association. Ms. Sonnabend read a letter regarding the proposed ACC Fire School and Burn Center which she had distributed to the board members outlining community concerns about the location of the Burn Center, a copy of which is on file with the minutes.

Chairman Thomas clarified that nothing had officially come before the Board of Supervisors and no decisions had been made for a location. He urged Ms. Sonnabend to attend the Fire Prevention & Control Committee meeting to follow this issue more closely. Mr. VanNess reiterated that they did not have the answers to the questions that the public had asked because this project was still in the early stages of development and no decisions had been made yet.

Ms. Sonnabend commented that it was important for the right information to be presented because Richard Sanford clearly asked Brian LaFlure, Deputy Fire Coordinator, if the ACC site was set for the Burn Center and he had said yes. Chairman Thomas stated the Warren and Washington County Board of Supervisors would make that decision and they were not at that point yet.

Mr. Belden added that he was on the Fire Prevention & Control Committee and nothing had been presented to the Committee that the ACC site would be the definite location.

Ms. Sonnabend thanked the Board members for their attention to this matter.

Chairman Thomas said that prior to adjourning for the day, he would like to request an executive session to discuss the employment history of a particular person.

A motion was made by Mr. Caimano, seconded by Mr. Belden and carried unanimously to request an executive session pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:50 a.m. until 12:10 p.m.

There being no further business, on motion by Mr. Belden and seconded by Mr. Bentley, Chairman Thomas adjourned the meeting at 12:11 p.m.