

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 16, 2012**

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. Daniel G. Stec presiding.

Salute to the flag was led by Supervisor McDevitt.

Roll called, the following members present:

Supervisors Conover, Monroe, Girard, McDevitt, Taylor, Loeb, Kenny, Frasier, Bentley, Vanselow, Dickinson, Merlino, Stec, Mason, Strainer, Westcott, Sokol, Thomas, Wood and Geraghty - 20.

Motion was made by Mr. Girard, seconded by Mr. Taylor and carried unanimously to approve the minutes of the February 17, 2012 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Stec began the meeting by introducing Mark Donohue, President and CEO of CWI (Community, Work and Independence), which was an organization located in the City of Glens Falls that aimed to provide effective programs and services to enhance the quality of life for people with disabilities or other barriers. Mr. Donohue thanked the Board for providing him the opportunity to speak about the organization he represented and noted that March was nationally recognized as Developmental Disabilities Awareness month; therefore, he added, organizations, such as CWI, were attempting to increase public exposure and awareness of what was happening in their field and industry, as well as about the people impacted by the services provided and the impact that the disabled had on the community, which was sometimes overlooked.

Mr. Donohue stated that similar to the County and other municipalities, CWI was dealing with budget issues, and over the last 18 months they had experienced over \$1.5 million in funding reductions, which had a substantial negative impact on the services provided. He said CWI continued to strive to provide more services with less funding and struggled with that goal daily; he added he was very proud to state that the reduction in funding had not effected the quality of services provided. Mr. Donohue continued to note that close to \$4.6 billion in State funding was provided annually for assistance to the disabled, which served as a testament by the State of New York to the importance of the services provided to those in need. He apprised there were substantial changes being considered by Governor Cuomo to this field for the future, including a plan for the State of New York to work with the Center for Medicaid at the Federal level to provide a niche for services to the disabled and provide capped service rates. Mr. Donohue said they expected this new program to become effective in 2016, but said they were currently planning for the unknown as the manner in which the Federal and State entities would implement future programming was still unknown; however, he stated, they would continue to advocate for continued services for those currently receiving them, as well as to provide for those in need.

As the new President & CEO of CWI, Mr. Donohue explained that one of his primary focuses was to educate the community as to the efforts and benefits provided by the organization. He announced that in 2013, CWI would celebrate their 50th anniversary and apprised that they served over 1,200 disabled people each month in Warren, Washington and Saratoga Counties and employed more than 760, making them one of the top employers for the region. Mr. Donohue expounded that through their partnership with SUNY Adirondack, CWI had assisted more than ten disabled students attending classes on a matriculated basis, and they were very proud to state that

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

four of them would graduate with degrees that year, which was an impressive example of the advancement of disabled programming and the ability to integrate people into the community. He noted that CWI also provided transitional services within area school districts where they worked with school faculty, students and their families to assist persons with disabilities to plan their futures, which were now limitless in comparison to what they used to be. Mr. Donahue further noted that CWI employed over 220 disabled persons in 60 area businesses including landscaping companies, restaurants, grocery stores and even the billing department at Glens Falls Hospital, and provided a clinic for speech, occupational and physical therapies within their realm of services.

Mr. Donohue stated that CWI hoped to develop new partnerships with the County and other municipalities to increase their funding source. He explained there was a \$3 million manufacturing outfit located in the Town of Queensbury which was run by CWI and employed disabled personnel in a workshop-type setting. He said they currently held 10 New York State preferred source contracts and they intended to begin promoting the facility regionally to increase local purchase contacts for toilet tissue, paper towels and many other products. Mr. Donohue noted that purchasing products from this facility would not only assist their organization, it would also support a Warren County business and keep money in the County. In closing, he stated the best way to educate the public on the services provided by CWI was by touring the facility to view their operations first hand and he invited anyone interested in doing so to contact him; he added that his office could also be contacted if any Supervisor was aware of a disabled person requiring assistance within their respective municipality.

Mr. McDevitt thanked Mr. Donohue for his presentation and also for the work he and his organization had done to assist disabled persons within the community. He apprised of his personal experiences in conversing with two disabled people working at the local Price Chopper supermarket and noted that this interaction had been humbling as these individuals worked very hard to be productive members of society. Mr. Donohue thanked Mr. McDevitt for his comments and noted that the budget constraints were the most difficult facet of the operation to address. He advised some of the disabled employees working for CWI had been with the organization for upwards of 35 years; he added these individuals were not at a functioning level that allowed them to be integrated into the workforce, but were able to work well in the workshop setting provided by the tissue and paper factory. Mr. Donohue stated that the Medicaid funding previously provided to fund these sorts of workshop-type facilities was fading, but he noted they had recently secured another State contract to provide firewood at State campgrounds. Chairman Stec thanked Mr. Donohue for his announcements and accomplishments and congratulated him on CWI's upcoming anniversary.

Chairman Stec advised the next item on the Agenda pertained to his reports. He apprised that in light of his standing as Chairman of the Board for a northern-New York based County, he had recently been invited by Governor Cuomo's Office to attend a meeting in Lake Placid to testify in front of the Mandate Relief Council. Chairman Stec stated that mandate relief was important to all members of the Board of Supervisors, as well as many members of the community due to the impact on the local government, as well as to schools, businesses and hospitals, which affected the costs of services. He thanked Supervisors Monroe and Westcott for their leadership on mandate relief efforts which included participation on a NYSAC (New York State Association of Counties) panel. Chairman Stec advised that at the NYSAC meeting he had presented a hiking analogy with two people walking down a trail, one being the State and the other the local government/taxpayer. He added that in this metaphor the State was yelling at the local government/taxpayer to move faster, representing the tax cap, while

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

putting rocks in their backpack, representing the unfunded State mandates. Chairman Stec said the metaphor was well received and understood while providing a bit of entertainment; he noted that he had shared the same analogy with Lieutenant Governor Duffy who chaired the panel at the Lake Placid meeting, as well as with Senator Little, Assemblywoman Sayward and Chairpersons from several other Counties.

Chairman Stec advised the dispatch consolidation with the City of Glens Falls had been completed which would save money for both municipalities without causing any lapse in service or protection. He extended congratulations to Mayor Jack Diamond and the staff working for the City of Glens Falls for completing all necessary work on their portion of the initiative, and he thanked Mr. Taylor and the rest of the Supervisors involved, as well as Sheriff York and his staff, for their participation. Chairman Stec noted that this idea had been discussed for almost ten years before gaining the proper support allowing them to proceed and he felt this was the appropriate time to demonstrate that this had been the proper decision for the County and City.

Continuing, Chairman Stec apprised of an issue reported in *The Post Star* over the past few days, that being the availability and use of a synthetic marijuana drug that was causing a significant threat to the community and, in particular, to children. He said this was a serious threat that he felt could be more appropriately and uniformly dealt with at the State level, but noted that if they chose not to address the problem, the County had the authority to take a firm stand on the issue and should do so.

Finally, Chairman Stec thanked Supervisors Conover, Dickinson and Frasier for coordinating with himself in working with the Lake George Park Commission and the Warren County Soil & Water Conservation District in helping to fund the purchase of a boat washing station to assist with the eradication of invasive species in Lake George. He explained the equipment would cost about \$40,000 and the Lake George Park Commission did not have sufficient funds to make the purchase immediately; therefore, he said, assistance had been pledged by the Towns bordering the Lake to complete the purchase, rather than waiting for an alternative source of funding to be determined. Chairman Stec opined that the \$40,000 investment would turn out to be a benefit to the health of the Lake, which was of vital importance to the area.

Chairman Stec called for reports by Committee Chairmen on past month's activities or meetings and the following gave verbal reports:

Supervisor Taylor, Support Services and Economic Growth & Development; Supervisor Loeb, Social Services; Supervisor Kenny, Occupancy Tax Coordination; Supervisor Bentley, Public Works; Supervisor Merlino, Tourism; Supervisor Sokol, Health Services; Supervisor Thomas, Finance; Supervisor Wood, Public Safety; Supervisor Conover, Personnel; Supervisor Monroe, Legislative & Rules; Supervisor Girard, County Facilities and Extension Services.

Concerning the Support Services Committee, Mr. Taylor noted that two resolutions had been approved, Resolution No. 174, Approving and Authorizing the Implementation of a Program on Workplace Violence Prevention for Warren County, and Resolution No. 175, Approving and Authorizing the Implementation of a Warren County Municipal Center Emergency Action and Response Plan. He further noted that the Economic Growth and Development Committee had approved three resolutions, two of those being for the Planning Department, Resolution No. 159, Amending Resolution No. 82 of 2010 Reducing the Amount of Funding and

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

Revising the Scope of Services with Regard to a Grant Agreement with Adirondack North Country Association, and Resolution No. 160, Amending Resolution No. 695 of 2008 with the New York State Department of Environmental Conservation Relating to the 400th Explore New York Reimbursable Grant Agreement, and one pertaining to Economic Development, Resolution No. 161, Supporting the co-Location of Economic Development Programs and Services in both Warren and Washington Counties and to Support the Establishment of a New Revolving Loan Fund. Mr. Taylor reminded the Board members that during the 2012 Budget process they had decided to increase funding to the Economic Development Corporation (EDC), which he felt had been a wise decision and he noted that through his membership on the Warren County Local Development Corporation (WCLDC) and the Warren and Washington Counties Industrial Development Agency (WWCIDA), he was in a good position to see the results of the work being done by the EDC, first hand. Mr. Taylor apprised that due to a change in State regulations, the WWCIDA could no longer fund civic organizations and had therefore formed a Civic Development Corporation (CDC) that allowed them to become involved with civic projects, such as those involving hospitals and schools. He added that this also allowed them to provide bonding services for the SUNY Adirondack housing project, thereby retaining approximately \$100,000 of fee income within the community that would have otherwise been transferred to the dormitory authority. Mr. Taylor noted that the WWCIDA had also been involved with the Hoffman Project, but said the association had intentionally been kept quiet until the Project was completed. He further noted they were ready to close on the sale of a parcel in the Airport Industrial Park and had recently shown another lot they anticipated would be purchased by an existing business looking to expand their operations. Mr. Taylor apprised the WCLDC had reorganized and reviewed their loan portfolio to address the shortcomings discovered; he added that new loan guidelines had also been developed, as outlined by proposed Resolution No. 161. He said the EDC, WWCIDA, WCLDC and the Washington County Local Development Corporation were all working together with very positive results. Mr. Taylor pointed out that the EDC had recently secured a \$250,000 State grant to fund the co-location of the economic development programs offered in both Warren and Washington Counties, as well as to establish a new revolving loan fund. He concluded that future plans were positive and new projects were occurring and he hoped that as the Budget Team began preparing the 2013 County Budget they would continue to support the EDC as new jobs were being created while standardizing the workforce.

With regard to the Social Services Committee, Mr. Loeb advised that most of the Committee action had been to approve training requests. He noted that Suzanne Wheeler, Acting Commissioner of Social Services, had instituted a new program which included peer voting for two staff members to be named each month as exemplary employees of the Department of Social Services. Additionally, Mr. Loeb stated that Ms. Wheeler had started inviting the head of one of the various divisions of the Department of Social Services to the monthly Committee meetings to speak on the functions of their respective portion of the Department. In closing, Mr. Loeb requested a roll call vote on Resolution No. 186, Supporting Senate Bill No. 4478 and Assembly Bill No. 8115, or a Reasonable Combination thereof, to Enable an Appropriate Approach to Mandate Relief by Suspending or Repealing the Triborough Amendment to the New York State Civil Service Law.

Referring to the Occupancy Tax Coordination Committee meeting held on February 28th, Mr. Kenny apprised the Committee had approved a \$100,000 expenditure from the Occupancy Tax Reserve to provide additional funding to the Asian Clam eradication efforts, as represented by Resolution No. 177 which was included in the resolution packet. He added that Resolution No. 176 authorized the expenditure of \$30,000 from the

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 16, 2012

Occupancy Tax Reserve to cover the Treasurer's cost for administration in 2011. Mr. Kenny noted that Mike Swan, County Treasurer, had generously offered to provide future services at a reduced rate of \$15,000 per year for 2012 and beyond, which was greatly appreciated.

Respective to the Public Works Committee, Mr. Bentley advised the agenda packet included a number of resolutions approved at the prior Committee meeting, primarily consisting of typical housekeeping issues including contract awards and filling of vacant positions. He specifically pointed out three resolutions related to the development of the West Brook Parking Lot as being Resolution No. 201, Bond Resolution Dated March 16, 2012, Authorizing the West Brook Parking Lot Construction Project in Warren County, New York at a Maximum Estimated Cost of \$153,000 and Authorizing Issuance of \$153,000 Serial Bonds of Warren County to pay the costs Thereof and Authorizing the County Treasurer to Make Temporary Advances of Legally Available Funds; Resolution No. 202, Resolution Making SEQRA Determination Regarding the Proposed West Brook Parking Lot Construction Project in Warren County, New York and the Authorization by Serial Bond Resolution of Same Date for the Issuance of \$153,000 Serial Bonds of Warren County to pay the cost thereof; and Resolution No. 203, Establishing Capital Project No. H332.9550 280, West Brook Parking Lot, Authorizing Transfer of Funds and Amending Warren County Budget for 2012. Pursuant to an inquiry made by Mr. Dickinson, Mr. Bentley clarified that the agenda packet also included Resolution No. 196, Authorizing Intermunicipal Agreement with the Village of Lake George for Operation of County Owned Beach Road Parking Lot.

Mr. Merlino apprised that the Tourism Committee had not met during the past month, but noted that Kate Johnson, Tourism Director, and Tanya Brand, Group Tour Promoter, had attended a Travel and Vacation Show in Ottawa, CA which drew approximately 18,000 attendees; he added there had been around 20 exhibitors at the Show, including Warren County. He said that all of the information promoting Warren County had been given away at the show and he estimated that about 500 people had signed up for the raffle items being given away. Mr. Merlino announced that during the prior week he and Ms. Johnson had attended the Empire State Tourism Conference luncheon held in Albany, NY where the Last of the Mohicans production had received the Best Cultural Attraction Award for the State of New York. He commented that he was very supportive of the Office for the Aging meal sites, especially the one located in the Town of Lake Luzerne, and he was very pleased that Mr. Geraghty and Paul Dusek, County Administrator, had recently come to the meal site for lunch. He said this experience was helpful to the Budget negotiators as it allowed them to obtain a first hand view of the operations and confirmed support for the continuation of the meal sites. Mr. Merlino concluded that he felt Messrs. Geraghty, Dusek and the rest of the Budget Team were doing a very good job of maintaining the Warren County Budget in a more professional and business-like manner, and he applauded them for their efforts.

Referring to the Human Services Committee meeting held on February 23rd, Mr. Strainer advised the agenda packet included resolutions approved to renew general contractual services routinely provided. He pointed out Resolution No. 194, Authorizing Agreement with Adirondack Community Action Program of Essex County to Provide Home Delivered Meals to Hague Residents for the Office for the Aging, which provided for the delivery of meals to approximately eight to ten Town of Hague residents at a cost of \$2.30 per meal. Mr. Strainer apprised that he served as the liaison between the County and the Court offices located within the Municipal Center Building and noted that he had recently met with them on March 6th for their annual meeting. He said the Courts were still

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

woefully short on space and he said he had advised there were two new conference rooms located on the second floor which could be utilized for meetings, if necessary. Mr. Strainer stated that one of the interesting points made during the meeting was that the number and type of criminal cases heard had been almost identical to those reported for the prior two years. He further noted that Bonnie Nadig, Commissioner of Jurors, had sent out 3,500 potential juror questionnaires and had received an 88% return response rate, which he felt was a good turnout. Mr. Strainer further pointed out that although many jurors initially tried to avoid jury duty, conversations held at follow up meetings indicated that most people who served on the jury actually found the experience to be both entertaining and rewarding.

Mr. Westcott stated that while he had no report to provide, he would request a roll call vote on Resolution No. 189, Introducing Resolution Authorizing an Increase in the Real Property Tax Exemption Limit for Persons Sixty-Five (65) Years of Age and Over in Combination with Sliding Scale of Increment Levels of Exemption and Authorizing Public Hearing Thereon.

With respect to the Health Services Committee, Mr. Sokol advised the February 24th meeting had been very brief and he felt the only noteworthy resolution approved was No. 149, Authorizing Settlement of Westmount Civil Money Penalty. He explained that pursuant to an inspection made by the New York State Department of Health (NYSDOH), ten deficiencies had been identified, nine of which were immediately corrected. He added that although the tenth deficiency had been addressed within a couple of days following the NYSDOH visit, a \$2,000 penalty fine had been assessed; however, he noted, this fine could have been much higher if the situation was not rectified as quickly as it was.

Concerning the Finance Committee, Mr. Thomas apprised that a relatively short meeting had been held on March 7th during which several routine resolutions were approved. As previously reported by Messrs. Kenny and Bentley, he noted Resolution Nos. 176, 177, 201 and 203 which confirmed actions taken by the Occupancy Tax Coordination and Public Works Committees in authorizing expenditure of occupancy tax reserve funding, issuance of serial bonds and establishment of a capital project for construction of the West Brook parking lot.

Relative to the Public Safety Committee, Mrs. Wood announced the Committee had been very busy during the past month and had approved several resolutions, including No. 172, Authorizing Intermunicipal Agreement with the County of Washington for the Governance of the Warren-Washington Counties Regional Emergency Services Training Center, and No. 173, Authorizing Agreement with Rozell Industries, Inc. for use of a Crane for the MASK Confidence Building for the Warren and Washington Counties Emergency Services Training Center. She thanked Mr. Girard for allowing these resolutions to be approved at the County Facilities Committee meeting as the need for their approval had arisen after the Public Safety Committee meeting had been held. Mrs. Wood apprised that Resolution No. 172 needed to be in place prior to the end of March in order to meet grant specifications for the Fire Training Center; she added that Washington County was concurrently approving their version of the resolution as their Board meeting was being held on the same day. Referring to Resolution No. 173, she announced they had been given reason to believe that Rozell Industries, Inc. might be willing to donate their crane services for placement of the MASK Confidence building, which would be a nice savings for the Counties and she noted that in the event this was the case, a resolution was necessary to allow for the acceptance of the donated services. Mrs. Wood stated that meetings had been held each Tuesday to review the Fire Training Center project,

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

including visits to the placement site, and she said she wished to publicly thank Mr. Bentley, Jeffery Tennyson, Superintendent of Public Works, and Martin Auffredou, County Attorney, for all of their efforts in bringing the construction of the MASK Confidence Building to fruition. She advised there were DPW crews working to prepare the site chosen for the Building and there was no reason to believe that the grant requirements would not be fulfilled. Continuing, Mrs. Wood noted Resolution No. 200, Approving Submittal of Local Government Efficiency Grant to NYS Department of State by co-Applicants, City of Glens Falls and County of Warren, for Financial Assistance in the Consolidation of Respective Dispatch Centers; she advised the City was currently working on an application for a \$200,000 grant opportunity to support the costs of the consolidation efforts and advised that this would allow the opportunity to recoup the \$50,000 to \$60,000 already expended, as well as provide additional funding for equipment upgrades.

Mr. Geraghty said he had nothing to report, but wished to thank Mr. Merlino for his kind words and he noted that he had enjoyed his visits to the meal site locations. Relative to the subject of unfunded mandates, he said that while these discussions continued, they should be leery of what was being touted in Albany as he did not feel the savings realized would be that great. Mr. Geraghty added that he was disappointed with the amount of time it was taking the State to address this issue.

In connection with the Personnel Committee, Mr. Conover stated that several routine resolutions had been approved pertaining to the filling of vacant positions. He added that the combination of Resolution No. 190, Introducing Local Law No. 4 of 2012 and Authorizing Public Hearing Thereon, and Resolution No. 191, Introducing Local Law No. 5 of 2012 and Authorizing Public Hearing Thereon, would revise the functions of the Personnel Officer and finalize the elimination of the Human Resources Department. Mr. Conover concluded that he felt these actions were a step in the right direction for Warren County.

Referring to the Legislative & Rules Committee, Mr. Monroe pointed out that Resolution No. 188, Confirming and Restating Resolution No. 146 of 2011 Opposing the Fee Purchase of the Former Finch and Follensby Pond Lands by the State of New York, was particularly important as one portion of the proposed State budget called for \$17.5 million in land acquisitions. He noted that the resolution opposed the fee purchase of the Finch and Follensby Pond lands for many reasons, including the negative impacts to employment, invasive species, building rights and assessed values. Mr. Monroe stated that Resolution No. 186, previously identified by Mr. Loeb, which pertained to support for Senate Bill No. 4478 and Assembly Bill No. 8115, had been approved by the Legislative Committee, as well as Resolution No. 187, Urging all Counties to Unite to Bring about Real and Meaningful Mandate Relief in New York State, and the previously mentioned Resolution No. 189, relating to an increase in the tax exemption limit for persons over age 65.

With reference to the County Facilities Committee, Mr. Girard advised the resolutions approved pertained to typical maintenance items for the Airport including approvals for staff training, as well as one authorizing the Superintendent of Public Works to scrap the bottle sorter located at the old "Ciba Geigy" property, *Resolution No. 168*, and another extending the lease agreement with Perkins Recycling Corporation, *Resolution No. 169*. Referring to the Extension Services Committee, he announced that Cornell Cooperative Extension was having success with the volunteer income tax assistance program, providing income tax preparation assistance for Warren County resident returns totaling over \$200,000 to date; he added that additional preparation sessions had been scheduled

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

for Tuesday March 20th, at the CCE Office located in Warrensburg, Friday March 23rd at the Horicon Town Hall, and Friday March 30th at the Adirondack Tri-County Nursing Home in the Town of Johnsburg.

Chairman Stec informed the next item on the Agenda was the report by the County Administrator. Mr. Dusek began by thanking Mr. Merlino for his prior comments and noted that in working as Administrator he had come to realize that while constant financial review was very important, it was equally important to have a first hand view of the repercussions of the changes being made and he found the meal site visits to be a valuable experience. He reminded the Board that they had previously authorized an agreement with Aeon Nexus to complete a spend analysis for Warren County at a cost of approximately \$16,000, which was currently ongoing. Mr. Dusek noted that since that time, Aeon Nexus had been leading the effort to join several counties in a consolidation effort to perform spend assessments both on the county and regional level to determine whether there might be a means available to gain efficiencies by consolidating the expenditures of various municipalities, and as a result, they sought to apply for a State Efficiency Grant, similar to the one outlined by Resolution No. 200, as previously mentioned by Mrs. Wood. He advised that Saratoga County would be submitting the grant application on behalf of the joint effort, in which they would be joined by Albany, Rensselaer and Schenectady Counties, as well as the City of Troy and he believed Washington County would also be participating. Mr. Dusek said he recommended that Warren County join in the grant application and noted that approval of a resolution authorizing participation would be necessary prior to the March 21st submission deadline. Chairman Stec questioned what costs the County would be responsible for in association with the grant opportunity and Mr. Dusek replied that there would be a 10% Local Share and it was his understanding that the funds already expended in connection with the Aeon Nexus agreement could be used to meet it. Mr. Dusek added that in discussing the matter with Aeon Nexus representatives, there was some indication that the entire \$16,000 contract fee might be waived if Warren County joined the efforts to obtain the State Efficiency Grant funding. He concluded that if any negative repercussions arose in connection with the issue, he would advise the Board and rescind his recommendation.

Motion was made by Mr. Conover, seconded by Mr. Bentley and carried unanimously to waive the rules of the board requiring a resolution be in writing. Clerk noted this would be Resolution No. 204 of 2012.

Motion was made by Mr. Monroe, seconded by Mr. Conover and carried unanimously to authorize the County to participate in a joint State Efficiency Grant Application as previously noted. Clerk noted this would be Resolution No. 205 of 2012.

Resuming his report, Mr. Dusek noted that a brief executive session would be necessary to discuss an acquisition matter involving the Corinth Road Reconstruction Project and Chairman Stec suggested that it be delayed until the close of the Board meeting. With reference to concerns regarding unfunded mandates, Mr. Dusek apprised there was a process in place at the State level that would allow Warren County to bring three mandates of particular concern to the table for review, as noted by Mr. Monroe at the recent Legislative & Rules Committee meeting and outlined in a letter received from Senator Little. He said that although there did not appear to be a deadline for submission of these issues, he felt that the matter should be addressed as quickly as possible to identify the three mandates seriously impacting the County. Mr. Dusek recommended that a group of Supervisors be named to meet and identify these mandates, which could be presented at the next Board meeting. Chairman Stec agreed that this was a good idea and he proposed that Messrs. Conover, Geraghty, Monroe, Westcott and himself be named to make these determinations; Mr. Dusek advised that he would coordinate a meeting and notify the Supervisors

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

named by Chairman Stec.

Chairman Stec called for reading of communications.

Clerk read communications, including the following:

Minutes from:

1. Warren/Washington Counties Industrial Development Agency and its Executive/Park and Civic Development Corporation Committees;

Monthly Report from:

1. Weights & Measures

Annual Reports from:

Capital District Regional Off-Track Betting Corp., January 2012 Surcharge in the amount of \$5826;

Adirondack Park Local Gov't. Review Board, Res. No 1, Supporting the Preservation and Rehabilitation of Adirondack Rail Infrastructure; Res. No. 2, Requesting the APA to Simplify Its Project Review Procedures; Res. No. 3, Requesting a Constitutional Amendment to Allow the Relocation of the Middleton Bridge;

Letter from David & Jennifer Klein, requesting SUNY Adirondack consider a policy change with regard to summer class enrollment; a copy of this letter was provided to all supervisors;

National Grid, semi-annual PCB report, noting a shipment in August 2011 from Quaker Road to a destination in Southern New York State; copy of the report is available for review upon request.

Communications, resolutions and reports ordered placed on file.

Chairman Stec called for reading of resolutions and discussion.

Joan Sady, Clerk of the Board, advised that Resolution Nos. 142 through 193 were mailed. She noted that Resolution No. 191 was mailed, but had subsequently been corrected and therefore a motion was needed to approve Resolution No. 191 as corrected. Martin Auffredou, County Attorney, expounded that Resolution No. 191 introduced proposed Local Law No. 5 of 2012, entitled "A Local Law Amending Local Law No. 3 of 1971 - A Local Law Establishing the Department of Personnel and Personnel Officer in the County of Warren". He noted that a slight correction to the resolution had been necessary after mailing in order to include a reference to a prior amendment of Local Law No. 3 of 1971 by Local Law No. 11 of 2006. Mr. Auffredou clarified that the purpose of Resolution No. 191 was simply to introduce the proposed Local Law No. 5 of 2012 and authorize a public hearing thereon. *Copies of revised Resolution No. 191 of 2012 were distributed to the Board members, along with two additional un-numbered resolutions provided by Mr. Auffredou.*

Mr. Auffredou explained that two additional un-numbered resolutions were being provided for the Board's consideration, the first of which would authorize an intermunicipal agreement with Essex County relating to County Attorney services provided on a reciprocal basis. He noted that this would allow himself and the Essex County

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

Attorney to provide hearing or investigation officer services for one another's County on an as needed basis in the event of a conflict; he added that this agreement would be similar to the one currently in place with Washington County which allowed reciprocal services to be provided of up to 21 hours annually. Mr. Auffredou advised the agreement would provide the ability for either County Attorney to decline to provide hearing officer services at their discretion. He concluded that he had previously addressed the requested resolution with both Mr. Dusek and Chairman Stec and recommended its approval. Mr. Dusek interjected that the agreement with Washington County had been established during his term as County Attorney and had proven to be a very good arrangement in terms of saving money for the County through an exchange of services. He said that the agreement with Essex County seemed to be another opportunity to provide intermunicipal cooperation while saving County dollars. Mrs. Sady advised that, if approved, this would be Resolution No. 205 of 2012.

Continuing, Mr. Auffredou explained the second un-numbered resolution distributed would complete the coordinated State Environmental Quality Review Act (SEQRA) review and issue a negative declaration for the Warren/Washington Counties Emergency Services Training Center. He continued that during a recent review of the project they had noted that although a considerable amount of SEQRA work had been done in 2009, it had not been completed, thus necessitating the resolution presented. Mr. Auffredou specified that in 2009, Part 1 of the SEQRA review had been completed, however Part 2 had not and was now necessary to fulfill the requirements of the grant associated with the project and accept delivery of the MASK Confidence Building. He pointed out that the proposed resolution included a copy of Part 2 of the SEQRA form, consisting of several questions relating to the project's impact and magnitude that had been answered by the project engineers, which was being presented for final review and approval of the Board of Supervisors. Mr. Auffredou specifically noted that as per the submission of the LaBerge Group, Project Engineer, the Warren/Washington Counties Emergency Services Training Center would have small to moderate impact to land in the nature of construction on slopes, areas where the water table was less than three feet or where bedrock was exposed; he added small to moderate impacts had also been indicated for water quality resources relating to the wetland areas located nearby, which would be protected. Mr. Auffredou expounded that impact on open space, noise and energy had all been answered in the same manner. He apprised that if the Board was in agreement with the resolution, it would authorize the Chairman to sign approval of the SEQRA review and the negative declaration provided, as recommended by himself and the LaBerge Group. Mrs. Sady advised this would be Resolution No. 207 of 2012, if approved.

Mr. Loeb pointed out that one portion of the SEQRA review noted that some form of blasting would occur on the property in connection with the project, while another section questioning whether natural materials from the property would be removed had been unanswered; he stated that if blasting was to occur, it would seem some materials would have to be removed from the property. Mr. Auffredou advised that the items Mr. Loeb referred to were included in the Section 1 portion of the SEQRA review which was completed and approved in 2009, but he said he could determine the appropriate responses to any unanswered questions and fill them in. He said that upon his visit to the Project site, he had noticed some bedrock outcroppings which he assumed might have to be blasted and removed at some point. Mr. Monroe noted the portion of the SEQRA review pertaining to the impact to water quality resources and he questioned whether construction was planned for wetland areas, to which Mr. Auffredou responded in the negative, advising they did not plan to build on wetlands; he added that the LaBerge Group had likely included that response to be overly cautious, which was a good thing.

Chairman Stec announced that a motion was necessary to bring amended Resolution No. 191 and

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, MARCH 16, 2012

Resolution Nos. 206 and 207 to the floor. Motion was made by Mr. Conover, seconded by Mr. Taylor and carried unanimously to bring Resolution Nos. 191, 206 and 207 to the floor.

Mr. Auffredou pointed out that Resolution No. 202 included a SEQRA review for the proposed West Brook Parking Lot project, the construction of which, along with the purchase of municipal pay stations, was to be funded using \$153,000 in serial bonds, as noted in Resolution No. 201. With the assistance of Mr. Tennyson and his staff, Mr. Auffredou apprised that the short version of the SEQRA form had been completed and was included with the Resolution document; he added that the short environmental assessment form had been completed because he did not feel the much longer, full version was necessary. In conclusion, Mr. Auffredou advised that in adopting Resolution No. 202, the Board would be approving and authorizing the Chairman of the Board to execute the short environmental assessment form and declare the issuance of a negative declaration for the construction of the West Brook Parking Lot and the issuance of the serial bond resolution.

Upon request for clarification by Mr. Conover, Mr. Auffredou advised that Resolution No. 201 was a bond resolution authorizing the procurement of \$153,000 in serial bonds for construction of the West Brook Parking Lot, while Resolution No. 202 approved the SEQRA review documents for the project.

Chairman Stec asked if there were any additional requests for roll call votes and Mr. Vanselow responded with his request for Resolution No. 188, Confirming and Restating Resolution No. 146 of 2011 Opposing the Fee Purchase of the Former Finch and Follensby Pond Lands by the State of New York, to be listed as such. Mr. Mason pointed out a spelling error on Resolution No. 173 which listed the company to be contracted with as "Rozelle" Industries, Inc. rather than "Rozell"; Mrs. Sady noted that the correction would be made subsequent to the meeting. Mr. Strainer pointed out Resolution No. 148, Authorizing Agreement with P&NP Computer Services, Inc. to Provide Computer Services at Westmount Health Facility, and he questioned what computer services would be provided through this agreement. As an answer could not be provided, Mr. Strainer stated that he was opposed to approving the resolution without prior knowledge of whether the service contract was necessary to County functions and requested that the resolution be tabled until the issue could be clarified.

Motion was made by Mr. Strainer, seconded by Mr. Dickinson and carried by majority vote to table Resolution No. 148, with Mr. Thomas voting in opposition.

Referring to Resolution No. 189, which would authorize an increase in the property tax exemption limit offered to persons over age 65, Mr. Taylor noted that the City of Glens Falls offered similar exemptions to disabled persons and he questioned whether the same exemptions were offered at the County level. Teri Ross, Assessor for the Town of Queensbury, advised in the negative, but noted that this could be introduced by Local Law. Chairman Stec stated that this might be something to consider in the future.

With reference to Resolution No. 186, pertaining to the Senate and Assembly bills aimed at enabling mandate relief by suspending or repealing the Triborough Amendment, Mr. McDevitt stated that Governor Cuomo had shown to be a conservative gatekeeper in terms of fiscal sanity in the State of New York, showing a degree of discipline regarding public sector employees. In the final analysis, he said that Governor Cuomo would determine the effectiveness of mandate relief in the State and if there was one segment of the nation that had suffered with the ailing economy, it was State, County, Town and City employees, whereas Federal employees had not been

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

effected. Mr. McDevitt opined that it was important to take measures that were effective and practical in terms of bringing about mandate relief, and he noted there were several individuals at the County level that had taken the lead in attempting to bring about mandate relief; he named a few as being Messrs. Stec, Geraghty, Monroe and Westcott and said they should be commended for their efforts. He added that if every County in the State practiced the same level of discipline and communication being employed by the individuals named, mandate relief could have been found on a State-wide level. Because this was not the case, Mr. McDevitt stated that he would not be voting in favor of Resolution No. 186, in light of the fact that he did not feel it was effective or practical as both bills would likely be immediately vetoed by Governor Cuomo, if they were even passed by the Senate and Assembly, making the entire effort a waste of valuable time. He concluded that he would happily vote in favor of the following Resolution No. 187, Urging all Counties to Unite and Bring About Real and Meaningful Mandate Relief in New York State.

Returning to Resolution No. 189, Mr. Merlino questioned whether they would have the opportunity to discuss altering the income tax exemption limits for persons over 65 and Chairman Stec replied affirmatively, advising this would be addressed through the Public Hearing process. Mr. Westcott stated that he had prepared a written statement proposing changes to the resolution, which he proceeded to read aloud; *a copy of the statement is on file with the minutes.*

Respective to Resolution No. 186, Mr. Loeb stated that the Triborough Amendment was put in place to support the various unions and he said he would take exception to anyone who would challenge the concept that if not for the union organizations, the standard of living would be much lower. He added that eliminating the Triborough Amendment would be a “union busting” measure as it allowed them some tools to work with since the union was prohibited from striking. As an example, Mr. Loeb cited his experiences in negotiating the labor contract with the City of Glens Falls Fire Department through his membership on the Glens Falls Common Council. He said the members of the Fire Department had benefitted from the Triborough Amendment which allowed their contract to continue while negotiating; he added that while some might complain that they were able to secure a better labor contract because of the Triborough Amendment, he would contend that it was the negotiating skills of the union leaders that had led them to reach the agreements secured. Mr. Loeb stated that good negotiating skills at the County level would assist them in attaining the best union labor agreements for County employees and he opined that if they attempted to make the bargaining field less even by eliminating the Triborough Amendment, a negative impact would be made on the quality of life across the State of New York. Therefore, he concluded, he would be voting in opposition to proposed Resolution No. 186.

Mr. Monroe commented that many of the town Supervisors had been involved with negotiating labor contracts and had seen statistics indicating that nationwide, only 4% of employees had paid-in-full health insurance, yet there were municipal employees that received them. He said this was something that needed to be addressed for public benefit in order to institute a reasonable parity between public and private sector employees by having public employees pay part of their health insurance costs. Mr. Monroe stated that it was very difficult to negotiate a change in health care benefits and that was why he felt it was important for the County to report their position on this issue, even if the State did not take action. For this reason, he said he would urge his fellow Supervisors to vote in favor of Resolution No. 186.

Mr. Vanselow apprised that he would also be voting in opposition to Resolution No. 186 and he applauded

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

Messrs. Loeb and McDevitt for speaking their opinions on the matter. He said he felt this action would put the County one step closer to the elimination of collective bargaining units, as had happened in other parts of the Country, often with a considerable amount of resistance. Mr. Vanselow continued that public sector workers had suffered more than their fair share of reductions in the declining economy and he felt they should have some tools available to them in negotiating labor agreements.

Mr. Mason advised that he had spent ten years on the school board where he had been involved with labor negotiations for the teacher's unions. He said that while he fully appreciated that unions had built the middle class in the Country, he felt the current situation had to be re-balanced a bit to encourage both sides to negotiate. Mr. Mason pointed out that proposed resolution No. 186 called for the New York State Senate, Assembly and Governor Cuomo to come together and agree upon a compromise to re-balance the situation and he said he would be voting in favor of the resolution.

Mrs. Sady informed that the resolutions relating to the filling of vacant positions were Resolution Nos. 153 - 158, and unless a roll call vote was requested, all would be approved in the collective vote.

Mrs. Sady announced a motion was needed to bring Resolution Nos. 141 and 194 - 203 to the floor. Motion was made by Mr. Sokol, seconded by Mr. Bentley and carried unanimously to bring Resolution Nos. 141 and 194 through 203 to the floor.

Chairman Stec called for a vote on the resolutions.

Resolution Nos. 141 through 207 were approved, with the exception of Resolution No. 148, which was tabled earlier in the meeting.

Mr. Strainer noted that the boys basketball tournament was being held at the Glens Falls Civic Center during the upcoming weekend and he encouraged all members of the Board of Supervisors to attend. Mr. Geraghty commented that this was a critical year for the tournament as the venue contract was ending and increased attendance levels would prove valuable in their next venue contract bidding process.

Mr. Dickinson noted that the Town and Village of Lake George would be holding a St. Patrick's Day event during the upcoming weekend entitled "Sham-Rock the Block", as well as a new art display Sunday afternoon at the Lake George Arts Project.

Privilege of the floor was extended to Joanne Gavin, Town of Lake George resident, who addressed the Board relative to the problems imposed by the sale and use of synthetic marijuana in Warren County, as well as surrounding areas. She cited examples of the dangers caused by the drug and encouraged the Board of Supervisors to take actions leading to the elimination of its availability in Warren County and noted that she did not feel the matter should be delayed until it was addressed at the State level, as indicated by Chairman Stec earlier in the meeting. Chairman Stec responded that Ms. Gavin had misunderstood his prior comments, he clarified that uniformity in this issue was important and while the State should act on the matter as quickly as possible, he suspected that would not be the case. He added that similar situations had occurred in relation to the funeral protest and sex offender housing issues which were addressed by the County through the adoption of Local Laws

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, MARCH 16, 2012

due to a lack of action at the State level; he added that this was an important issue that the County would likely handle in the same manner. Chairman Stec explained that, unfortunately, the adoption of a Local Law required approval at the Committee level, followed by approval of a resolution authorizing a public hearing and then the public hearing itself, which would take at least two months. Mr. Geraghty agreed that action should be taken as quickly as possible to contain this issue and it was shameful that the matter had to be addressed at the local level, rather than by the State. Chairman Stec asked Mrs. Sady to refer the issue to the Legislative Committee for further review and Mr. Bentley interjected that a joint meeting with the Criminal Justice Committee might be more appropriate as Kate Hogan, District Attorney, could present additional information on the harmful substance. Mr. Monroe noted that a legal opinion from Mr. Auffredou would also be helpful to advise on what actions could be taken to eradicate this problem. Mrs. Sady advised that the meeting would be scheduled, as requested.

Chairman Stec reminded the Committee of Mr. Dusek's prior request for an executive session to discuss a claim resulting from a property acquisition made in connection with the Corinth Road Reconstruction Project.

Motion was made by Mr. Bentley, seconded by Mr. Loeb and carried unanimously to declare an executive session to discuss matters surrounding the acquisition of real property, pursuant to Section 105(h) of the Public Officers Law.

Executive session was held from 11:54 a.m. to 12:12 p.m.

Upon reconvening, Chairman Stec announced that no action had been taken during the executive session.

There being no further business, on motion by Mr. Dickinson and seconded by Mr. Mason, Chairman Stec adjourned the meeting at 12:13 p.m.