

**WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JULY 20, 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 10:10 a.m.

Mr. Daniel G. Stec presiding.

Salute to the flag was led by Supervisor Frasier.

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. Conover and carried unanimously, to approve the minutes of the June 15, 2012 Board Meeting, subject to correction by the Clerk of the Board.

Chairman Stec declared the Public Hearing for proposed Local Law No. 8 of 2012, entitled "A Local Law Superceding County Law Section 215 and Authorizing the Lease of a Portion of All of Certain County Owned Real Property in the Town of Queensbury Without Public Advertisement or Auction" open at 10:12 a.m. and he requested that Joan Sady, Clerk of the Board, read the Notice of Public Hearing for the Record; Mrs. Sady read the Notice of Public Hearing aloud, a copy of which is on file with the meeting minutes.

There being no comment on proposed Local Law No. 8 of 2012, Chairman Stec closed the Public Hearing at 10:14 a.m.

Chairman Stec advised he had no information to report; he called for reports by Committee Chairmen on the past month's activities or meetings and the following gave verbal reports: Supervisor Bentley, Public Works; Supervisor Merlino, Tourism; Supervisor Strainer, Human Resources and Community College; Supervisor Sokol, Health Services; Supervisor Thomas, Finance; Supervisor Wood, Public Safety; Supervisor Geraghty, Budget; Supervisor Conover, Personnel; Supervisor Monroe, Legislative & Rules and Gaslight Village Ad Hoc; Supervisor Girard, County Facilities and Extension Services; Supervisor McDevitt, Mental Health; Supervisor Taylor, Economic Growth & Development; and Supervisor Loeb, Social Services.

Mr. Bentley announced that several resolutions had been approved by the Public Works Committee at their recent meeting. He advised proposed Resolution Nos. 456, "Resolution Amending Resolution No. 196 of 2012 - Authorizing Intermunicipal Agreement with the Village of Lake George for Operation of County Owned Beach Road Parking Lot", and 457, "Resolution Amending Resolution No. 250 of 2012 - Authorizing Intermunicipal Agreement with the Village of Lake George for Maintenance and Revenue Collection at the West Brook Parking Lot", were both approved through a post-Committee request process and he asked Martin Auffredou, County Attorney, to explain the purpose of both.

Mr. Auffredou recalled that Resolution Nos. 196 and 250 of 2012 had been adopted at prior Board meetings to authorize the Village of Lake George to operate the County-owned Beach Road and West Brook parking lots and establish a mechanism for the splitting of parking revenues collected which essentially allowed the Village to retain

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75% of collections and called for the remaining 25% to be turned over to Warren County. He continued that following a recent meeting with Robert Blais, Mayor of the Village of Lake George, it had been determined that revisions to Resolution No. 196 of 2012 were necessary to a) clarify that the Village would remit 25% of the annual net proceeds to Warren County, with the term "net proceeds" to be defined as the gross revenues received in cash and/or credit card payments from the parking meters only, less any third-party contractual credit card processing fees charged to the Village; and b) to confirm that the Village would retain all fines and penalties collected for violations of local laws, rules and regulations enforced by the Village of Lake George, as identified in proposed Resolution No. 456. Mr. Auffredou expounded that proposed Resolution No. 457 sought to amend Resolution No. 250 of 2012 to modify the termination language included in the intermunicipal agreement for operation of the West Brook parking lot. He advised the original agreement had included verbiage indicating the agreement could be terminated by either party upon 30 days written notice and they sought to alter the agreement to reflect that either party would be able to terminate the agreement by giving notice in December of any year of the five-year contract term.

As Chairman Stec advised it was the appropriate time to do so, Mr. Auffredou continued that an additional proposed resolution had been distributed to the Board members concerning the adoption of regulations prohibiting trespassing on County property surrounding the Hadley-Luzerne Bridge. He noted that the Bridge, which was jointly owned by Saratoga County, had become the site of numerous unsafe and offensive activities including jumping off of the Bridge into the turbulent and rock filled waters of the Hudson River below, interfering with vehicular traffic on the Bridge and littering and defacing of the walls beneath the Bridge with vulgar and unsightly graffiti. Mr. Auffredou apprised that in an effort to alleviate these issues, Saratoga County had proposed local legislation banning such activities from their portion of the Bridge and surrounding property and they had requested that Warren County do the same in order to stop such activities from legally taking place on the Warren County side of the Bridge and surrounding property. He stated that the proposed resolution would provide regulations similar to those being considered by Saratoga County and allow law enforcement officials to enforce them, rather than a local law which would take at least two months to approve due to public hearing requirements; however, Mr. Auffredou added, the regulations could be converted to a local law in the future, if that action was determined to be necessary.

Speaking as the Supervisor for the Town of Lake Luzerne, Mr. Merlino stated he was supportive of the proposed resolution and the regulations it would impose. He noted that although these problems had been present for some time, activities around the Bridge had recently increased following video postings on the popular YouTube website of people jumping from the Bridge or the surrounding rock ledges. Mr. Merlino advised these activities were very dangerous and he said a number of people had died over the years; he added that due to the conditions of the Hudson River beneath the Bridge, which included fast water and strong currents, professional rescue dive teams were not able to enter that section of water when a swimmer was lost. He confirmed that Saratoga County had adopted their local legislation earlier in the week and he stated his concern that if Warren County did not do the same, the activities would simply be moved to the Warren County side of the Bridge, where they remained legal. Mr. Auffredou interjected the penalty for violation of the imposed regulations would be a fine not exceeding \$100 and up to 30 days in jail. Chairman Stec announced that the resolution proposing trespassing regulations for the Hadley Luzerne Bridge would be No. 461.

Concluding his report, Mr. Bentley noted proposed Resolution No. 441, Increasing Capital Project No. H199.9550 280 Corinth Road Reconstruction; Authorizing Transfer of Funds and Amending Warren County Budget for 2012, and he clarified that the resolution actually sought to add monies being contributed by the Town

of Queensbury and National Grid, but would not raise the total cost of the Project. Chairman Stec confirmed this point and advised it should be the last resolution of this type as the Project was complete and would be closed shortly.

Returning to discussion on proposed Resolution No. 456, Chairman Stec apprised he had been involved in the meeting with Mayor Blais and recalled that agreements had been made to indicate the County would expect remittance of 25% of all revenues collected from parking meters for the first year of the contract; however, he added, they would receive 25% of all revenues, including those for the Village's contracted events, for the following years. Chairman Stec explained Mayor Blais had reasonably requested that the Village's contracted events be removed from the revenue totals for the current year as the Village had already included those anticipated revenues in their 2012 operating budget. He then questioned whether the resolution could be amended to reflect these indications and Mr. Auffredou replied affirmatively.

Mr. Merlino advised that while the Tourism Committee had not met, the Tourism Department had been hard at work. He said television and print advertisements had been very successful, bringing in over 120,000 requests for travel information so far this year. Mr. Merlino noted the 2013 Travel Guide was currently in production and many events were being attended to promote tourism in Warren County. In conclusion, Mr. Merlino apprised that he and his grandchildren had attended the Big Apple Circus which was currently performing at the former Gaslight Village Property in the Village of Lake George; he added that the performance had been very enjoyable, although relatively expensive.

With reference to the Human Services Committee, Mr. Strainer said a regular meeting had been held on June 26th to address typical matters. He continued that on June 29th, a joint meeting of the Community College and Finance Committees had been held at SUNY Adirondack to discuss their proposed 2012-2013 operating budget, as represented by proposed Resolution No. 443, Approving Tentative Budget for SUNY Adirondack and Providing for Public Hearing. Mr. Strainer apprised during this meeting, staff from the Washington County Real Property Tax Services Office had made a powerpoint presentation detailing the number of college attendees in Washington County, as well as which educational institutions they attended, and he commented that this information had been very interesting.

Mr. Sokol announced the Health Services Committee had met on June 26th during which they had reviewed the Annual Financial Report for the Westmount Health Facility which reflected a very good fiscal condition and operation at a 3:1 revenue to expense ratio. He commented that the facility's strong financial state was due primarily to the amount of IGT (intergovernmental transfer) payments received in 2011 and he noted it was unknown whether future IGT contributions would remain at the same level or decrease. Additionally, Mr. Sokol advised that laundry services for Countryside Adult Home would no longer be provided by the Westmount Health Facility as they would be contracted to a private vendor; he said the Westmount laundry staff would be reduced accordingly, attaining a minimal savings in salary costs to the County. Referring to the special Health Services Committee meeting that had preceded the Board meeting that morning, Mr. Sokol stated two personnel related requests had been approved for the Westmount Health Facility, one to set the salary of the Leisure Time Activities Director at \$34,561 and the other to fill the vacant position of Leisure Time Activity Aide #2 which was a part-time position with a salary of \$14,529. He pointed out that the Leisure Time Activities Director required a specialized candidate with appropriate education who was able to deal with the complex needs of persons afflicted with dementia and he noted that in comparison to other facilities, the level of staffing for these types of services was relatively low. Paul Dusek, County Administrator, interjected that approvals had been provided by the Social Services Committee to fill the vacant part-time position

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of Leisure Time Activity Aide #2 and to set the salary of the Leisure Time Activities Director at \$34,561, contingent upon Union approval, as this position was in the bargaining unit.

Continuing with his review, Mr. Sokol noted proposed Resolution No. 451, Amending Agreement with Dorothy Grover, Physical Therapist, to Include Staff Education for Therapists, which would allow for one to two educational sessions to be provided each year at a cost of \$250 per session. He added that grant monies were available to fund the session costs and the resolution presented would allow the start of the process to attain it. Mr. Sokol pointed out proposed Resolution Nos. 433 and 434, authorizing the Director of Public Health/ Patient Services to fill the vacant positions of Public Health Nurse #15 and 35 due to resignation, and he advised that although approval was being requested for fill both positions, Patricia Auer, Director of Public Health/Patient Services, had agreed to fill one immediately and wait to fill the other until a need for the position was determined and confirmed by the County Administrator.

With reference to the most recent meeting of the Finance Committee, Mr. Thomas said a number of resolutions had been approved which were represented in the resolution packet and he specifically identified proposed Resolution No. 438, Ratifying the Actions of the Chairman of the Board Regarding the Execution of a Cooperative Agreement with New York State Department of Environmental Conservation to Provide Fuel for Marine Patrols on Lake George, as well as Resolution No. 443, Approving Tentative Budget for SUNY Adirondack and Providing for Public Hearing. Mr. Thomas commented that the tentative budget for SUNY Adirondack for the 2012-2013 academic year totaled \$26,428,260, a 1.5% increase from the prior year, of which Warren County's portion would be \$1,844,538. Concluding his report, Mr. Thomas apprised the Finance Committee had discussed the possibility of attaining forestry services to log the County-owned property located on Route 9, directly opposite the Municipal Center campus, following which an RFP (request for proposal) was authorized for realtor services to re-evaluate the property and provide an opinion on the matter.

Mrs. Wood apprised that the Public Safety Committee had approved proposed Resolution No. 460, Authorizing a Memorandum of Understanding with Washington County to Serve as an Emergency Alternate Dispatch Center for the Sheriff's Office, at their June 25th meeting. Additionally, she noted a ribbon cutting ceremony had been held for the Emergency Services Training Center on July 13th and a demonstration of the Mass Confidence Building had been provided. She noted that a number of her fellow Supervisors had attended the event and she thanked them for being present; additionally, Mrs. Wood thanked Brian LaFlure, Fire Coordinator/Director of the Office of Emergency Services, and the DPW staff of both Warren and Washington Counties for their hard work and dedication in bringing the facility to fruition. Mrs. Wood advised Dede Scozzafava, Deputy Secretary of State for the State of New York, had also been in attendance for the event. Mrs. Wood then thanked Wayne LaMothe, County Planner, for his involvement in the preparation of an application that had been submitted which had allowed the Towns of Thurman and Bolton to receive a considerable amount of grant funding. In closing, Mrs. Wood noted that she had also attended the Big Apple Circus with her children and she echoed Mr. Merlino's prior comment that although the production had been very enjoyable, it had also been expensive. Mr. Dickinson pointed out that all of the seats offered for the Big Apple Circus were quite close to the ring with ticket prices ranging from \$10 - \$40 which allowed a means to reduce attendance cost.

Mr. Geraghty announced that lengthy meetings of the Budget Committee had been held on June 28th, July 11th and July 18th during which certain Department Heads had been asked to make presentations on prior and anticipated overtime costs and the County's health insurance broker had been invited to take part in discussions

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relative to the premiums associated with health insurance coverage for active and retired County employees. He said there was still a lot of work to do on the five-year Budget plan being developed and he noted a majority of the Board of Supervisors had been in attendance for the Budget Committee meetings which he felt reflected a considerable interest in the future of the Warren County budget. Mr. Geraghty advised work on the 2013 Budget would continue through the month of August, concurrent with planning efforts for the five-year budget plan. On the prior day, he said several Supervisors had attended the meeting of the Inter-County Legislative Committee of the Adirondacks that had been hosted by Herkimer County in Old Forge, NY. Mr. Geraghty explained that during the meeting, a presentation had been made on biomass, which was very interesting and could prove to be beneficial in Warren County.

Referring to the Personnel Committee meeting held on July 11th, Mr. Conover noted a number of resolutions were approved, as represented by proposed Resolution Nos. 432 - 437. He stated that considerable discussion had ensued relative to the setting of the salary for the Fish Management Specialist position within the Division of Parks, Recreation & Railroad which was included in proposed Resolution No. 432, pursuant to which Mr. Dusek had identified a flaw in the process used to set salary ranges for certain positions that would be addressed in the future. With respect to the previous notation made by Mr. Sokol regarding action taken by the Health Services Committee earlier that morning to set the salary of the Leisure Time Activities Director and to fill the vacant position of Leisure Time Activity Aide #2, Mr. Conover pointed out that a resolution waiving the Rules of the Board requiring prior approvals from the Finance and Personnel Committees in matters such as these would be necessary and he suggested that, when appropriate, the Chairmen of the Finance and Personnel Committees should introduce them.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to waive the Rules of the Board requiring a resolution be in writing regarding authorizing the Administrator of Westmount Health Facility to fill the vacant position of Leisure Time Activity Aide #2 (part-time) at Westmount Health Facility and amending the Table of Organization and Warren County Salary and Compensation Plan for 2012. Mrs. Sady advised this would be Resolution No. 462.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried unanimously to waive the Rules of the Board with regard to filling of vacant positions as set forth in Letter D, Section 8 of the Rules of the Board. Mrs. Sady advised this would be Resolution No. 463.

Motion was made by Mr. Dickinson, seconded by Mr. Conover and carried unanimously to authorize the Administrator of Westmount Health Facility to fill the vacant position of Leisure Time Activity Aide #2 (part-time) at Westmount Health Facility due to resignation. Mrs. Sady advised this would be Resolution No. 464.

Motion was made by Mr. Conover, seconded by Mr. Thomas and carried by majority vote, with Mr. Taylor voting in opposition, to amend the Table of Organization and Warren County Salary and Compensation Plan for 2012 to set the annual salary of the Leisure Time Activities Director at \$34,561, contingent upon Union approval. Mrs. Sady advised this would be Resolution No. 465.

Mr. Conover noted this type of action should not be relied upon in the future as there were certain procedures in place to allow appropriate Committee review; however, he added, when dealing with the public health arena, sometimes concessions of this sort were necessary.

Mr. Monroe advised proposed Resolution No. 414, Authorizing Chairman of the Board of Supervisors as the Designated Representative to Execute a Grant Agreement with the New York State Environmental Facilities Corporation for Green Innovation Grant Program Funding for the Sustainable Advancement of the Lake George Environmental Park, had been approved by the Gaslight Village Ad Hoc Committee. He also noted proposed Resolution No. 430, Supporting the Actions of the Adirondack Gateway Council to Undertake a Broad and Far Reaching Study of the Broadband Needs and Strategy for Warren and Washington Counties, that was approved by the Economic Growth & Development Committee which he was a member of. Mr. Monroe apprised he and Mr. Conover had met with Ed Bartholomew, Economic Development Director for the City of Glens Falls, and representatives of the Adirondack Gateway Council and the Development Authority of the North Country to discuss broadband needs and they had received a lot of new information. He continued that a \$250,000 grant application had been submitted to further the broadband study efforts, and if approved, any Local Share required would be provided by the Adirondack Gateway Council. Mr. Monroe said these actions were encouraging as great strides were being made elsewhere in the State to introduce the availability of broadband internet services to areas currently lacking them and he hoped Warren and Washington Counties would be included in those efforts, as well. He announced that another consolidated funding application had recently been submitted for additional grant funds in the amount of \$900,000 for development of the Charles R. Wood Park and following meetings with representatives of the Wood Foundation, it seemed favorable that the Foundation would provide additional funds, over and above the \$750,000 already committed, for the advancement of the Park project. Mr. Monroe apprised a design development report had been prepared by Elan Planning, Design & Landscape Architecture, PLLC for the Charles R. Wood Park which he was willing to share with anyone wishing to peruse it. Finally, Mr. Monroe commented that in early July the Town of Chester had held a dedication ceremony for its newly completed Veterans' Memorial which had drawn a very large crowd. He said the Memorial portrayed the names of close to 1,000 Town of Chester residents who had served in the Armed Forces dating back to the Revolutionary War up to the more recent War on Terror. Mr. Monroe said it had been a moving ceremony which had included a military flyover at the end. Chairman Stec advised that he had attended the ceremony and agreed that it had been very touching. He said both the monument and the number of people in attendance at the dedication ceremony had been impressive.

Mr. Girard announced that pursuant to the July 3rd meeting of the County Facilities Committee proposed Resolution Nos. 412, Authorizing Amendment to Conveyance of an Easement to the Town of Warrensburg for Purposes of Maintaining and Using a Third Well on County Property in the Town of Warrensburg, and 413, Authorizing Submission of Grant Application to Federal Aviation Administration/New York State Department of Transportation for Avigation Easement/Land Acquisition for Five Parcels in the Runway 30 Approach, had been approved. He explained proposed Resolution No. 412 was necessary to allow the Town of Warrensburg to drill a third well on County property to replace another that had gone dry. Mr. Girard further explained that proposed Resolution No. 413 pertained to Runway 30, which was the shorter of the two Airport runways, and had nothing to do with the proposed Runway 1-19 expansion project. He advised that appraisals had been received for the easements necessary to address penetrations to the protection zone surrounding the runway which had to be removed to maintain the existing FAA (Federal Aviation Administration) designations and the proposed resolution would authorize submission of an FAA grant application for the funding necessary to purchase the easements. With respect to the Extension Services Committee, Mr. Girard announced Dr. James Seeley had been reappointed as Executive Director of Cornell Cooperative Extension which he felt was a good thing as Dr. Seeley had done an excellent job serving in the capacity of Executive Director and he congratulated Dr. Seeley on this achievement. In closing, Mr. Girard noted Cornell Cooperative Extension would hold their annual fundraiser on August 25th at Cronin's Golf Course in the Town of Warrensburg.

Concerning the Mental Health Committee, Mr. McDevitt advised he had attended a series of meetings on mental health related issues and found there were several different area organizations involved in assisting people with developmental and substance abuse based issues. He advised that the amount of State and Federal funding proposed for 2013 which would be funneled to these organizations though Warren County was in excess of \$2.4 million, the Local Share of which was in the neighborhood of \$100,000. Mr. McDevitt stated this ensured a degree of local control for these monies and he opined that many organizations were able to provide a number of beneficial services to those in need while managing the funds provided in a very thrifty manner. Proceeding, Mr. McDevitt noted his involvement with the Centurion Bicycling event which had been a well organized event held in a picturesque area that incurred no participation costs and he said he hoped the event would return to the area in 2013. In conclusion, he requested a roll call vote for proposed Resolution No. 425, Resolution Requesting that State Legislators Require Anyone Receiving Public Assistance be Subject to Drug/Alcohol Testing.

Mr. Taylor pointed out proposed Resolution No. 431, Amending Resolution No. 396 of 2012 Regarding Submission of Grant Application to the New York State Consolidated Funding Application for Local Waterfront Programs, Public Facilities, Parks, Transportation or Economic Development, which had been approved by the Economic Growth & Development Committee at their last meeting. He explained this resolution would amend the prior version to allow submission of grant applications for multiple programs, rather than just one. Mr. Taylor advised the EDC (Economic Development Corporation) was working diligently to improve the County's loan portfolio and were currently addressing some default loan issues. The Warren/Washington Counties Industrial Development Agency (IDA) had recently provided final approval for the Hudson Falls Park Properties Project, Mr. Taylor advised, and he said a small ceremony had been held to celebrate the receipt of Empire State Development Shovel-Ready Status.

Concerning the Social Services Committee, Mr. Loeb announced the Department of Social Services was running very smoothly with staff that were able to address the considerable list of rules and regulations they were required to follow while providing assistance with compassion and empathy. He commented there were many other Departments within the County which were being successfully managed, but none with as many rules and regulations as the Department of Social Services. Mr. Loeb said it took a special person to deal with the clients assisted at the Department of Social Services, many of whom were in misery, with patience and understanding. He then requested an explanation for proposed Resolution No. 427, Resolution Urging the United States Congress to Repeal a Portion of the Universal Service Fund Surcharge that Provides Free Cellular Telephone Service to "Income Eligible" Individuals, as he did not feel it clearly stated its intent. Mr. Loeb continued that in many cases, the resolutions written failed to provide key information detailing to the need for, or purpose of, the proposed resolution and he requested that in the future they be written in a manner that more clearly stated their intent.

Speaking as Chairman of the Legislative & Rules Committee that had approved the resolution, Mr. Monroe said he did not recall discussion on the matter and said he would be agreeable to tabling Resolution No. 427 until an explanation could be provided. Mr. Thomas interjected that he recalled the discussion leading to the approval of the proposed resolution which he had either motioned or seconded. He stated his opinion on the matter that there were many people without cellular phone coverage or a need for one, and those citizens should not be required to help subsidize the costs of cellular phone coverage for others. Mr. Westcott suggested that the matter be tabled and a request forwarded to Congressman Gibson's Office for an opinion on the matter.

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Motion was made by Mr. Westcott and seconded by Mr. Monroe to table Resolution No. 427 and seek an opinion from Congressman Gibson's Office relative to the provisions for free cellular phone service to income eligible individuals. The motion was carried by majority vote with Supervisors Bentley, Mason, Merlino, Taylor and Thomas voting in opposition.

Chairman Stec announced the next agenda item pertained to the report by the County Administrator. Mr. Dusek noted documentation had been distributed to each member of the Board of Supervisors providing statistical information relative to overtime use and reportings for the various divisions of the Sheriff's Office. He advised the information had been compiled as the result of a request made during the Budget Committee meetings asking for a comparison study of Departmental costs for the Warren County Sheriff's Office in relation to those of other surrounding Counties. Mr. Dusek proceeded with a brief overview of the documentation provided, a copy of which is on file with the minutes. He pointed out it had been difficult to determine what facilities the Warren County Sheriff's Office should be compared to and they had made selections based on population and distance in relation to Warren County. Additionally, Mr. Dusek stated it had also been difficult to classify positions as those considered to be part of the Law Enforcement Division varied from County to County; for example, he cited that some Counties included clerical positions under this designation, while others did not. For this reason, he said allowances had been made in the report to account for this issue by separating certain sections of the budget to make appropriate fiscal comparisons and he pointed out the various footnotes included in the documentation to outline these factors.

Mr. Strainer noted that Warren County had roughly half the population of Saratoga County and he questioned why the inmate counts for Warren County were so much higher than those reported for Saratoga County. Mr. Dusek responded the information provided reflected the information garnered by his staff upon calling each County facility; additionally, he pointed out that the City of Saratoga Police Department might have its own jailing facility where offenders were detained and those figures were not accounted for in this report. Mr. Dusek advised he would make inquiries to find this information. Mr. Strainer then questioned what the average stay for a Warren County incarcerate was and Mr. Dusek advised that he did not have this information available but said he would find out. Mr. Vanselow asked if the inmate figures included persons boarded in from other Counties and Mr. Dusek responded affirmatively; Mr. Vanselow concluded that this factor could be the reason for the difference in inmate population figures.

Mr. Monroe recalled prior discussions indicating that it was virtually impossible to fill the jail facility to capacity due to segregation regulations imposed by the State. He noted that the figures reported for Madison County reflected that all 124 of their available beds were filled and he questioned how this was possible based on the State's regulations. Mr. Dusek replied he did not have a response for this question as the statistics provided were simply based on telephone inquiries made by his staff to provide basic inmate population information. He said that further research was necessary to determine the procedures used to allow facilities to be filled to capacity.

Mr. Mason said he was concerned with the use of budgeted figures in the report and preferred the use of actual budgetary expenses to provide a better comparison, even if they had to use the prior years expenses. He then pointed out the crime totals reported and noted it appeared that Warren County was severely crime ridden in comparison to other Counties of similar size. Mr. Dusek responded the crime figures reported had been obtained from the New York State Department of Criminal Justice Services and he said he had been surprised with the comparison, as well; he added that he would ask his staff to email Mr. Mason the crime statistic information for his review. Chairman Stec interjected the crime levels were likely affected by a number of factors including the influx

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of visitors to the area during the summer tourism season, the proximity of the Northway (I-87) and the possibility that the Warren County Sheriff's Office was more aggressive than surrounding Counties, just to name a few. Robert Swan, Undersheriff, interjected that another factor might be the specialized units employed by the Sheriff's Office, such as the Narcotics Investigators, which had led to increased arrests. Mr. Dusek reminded the Board members that Counties with city police departments, like the City of Saratoga Springs, had not been polled in this review and would increase the crime figures reported. Mr. Dusek stated that he would send a follow-up email to each member of the Board of Supervisors providing access to the information used relative to crime statistics, as well as the additional information requested on arrest and possible inmate figures for the City of Saratoga Police Department and the last year actual budgetary comparison figures requested by Mr. Mason.

Chairman Stec called for a reading of communications and Mrs. Sady read them aloud as follows:

Minutes from:

1. Warren/Washington Counties IDA/Civic Development Corporation and Executive Committee;

Monthly Reports from:

1. Probation;
2. Weights & Measures.

Annual Reports from:

1. Westmount Health Facility
2. The Fund for Lake George

Capital District Off-Track Betting, April 30, 2012 Financial Report;

Warren/Washington Counties Industrial Development Agency, Wheelabrator True-Up Report;

Communications, resolutions and reports ordered placed on file.

Continuing the agenda review, Chairman Stec called for a reading of resolutions and discussion.

With respect to proposed Resolution No. 421, Authorizing Agreement with Edward Zibro d/b/a Warrensburg Bike Rally to use the Warren County Fairgrounds for Annual Bike Rally, Mr. Strainer noted that an event date was not included, but rather a vague time frame of "late May or early June" and he questioned whether this language would preclude other parties from using the property for events during this time. Mr. Auffredou indicated this generic language had been requested by Jeffery Tennyson, Superintendent of Public Works, and it was his understanding that Mr. Zibro had made commitments to bring the event to the area but it was difficult to specify exact dates, and that was why the time frame had been used. Mr. Tennyson added that the ten-day event had been held annually for the past ten years, always in the same time frame with the dates ranging to fit a time period encompassing two weekends and he said the time frame identified would allow them to shift the date of the event appropriately. Mr. Auffredou noted that the resolution indicated annual concurrence from the Town of Warrensburg was necessary to continue the event. Mr. Strainer opined that the Fairgrounds property was a great asset to the County that should be better promoted to draw additional events to the area; he added his feeling that efforts to

advertise the property might be hampered by the agreement if specific event dates were not indicated. Chairman Stec countered that the Warrensburg Bike Rally was a considerable event that maximized the use of the Fairgrounds property, rather than detracting from it. Additionally, Chairman Stec noted there were not many inquiries being made seeking use of the property, regardless of promotional efforts. Speaking as Supervisor for the Town of Warrensburg, Mr. Geraghty indicated the actual dates of the event would be revealed in the early spring of each year, long before the event was to be held, allowing for other events to be scheduled around it.

Mr. Westcott requested a roll call vote for proposed Resolution No. 413, Authorizing Submission of Grant Application to Federal Aviation Administration/New York State Department of Transportation for Avigation Easement/Land Acquisition for Five Parcels in the Runway 30 Approach. He stated that following his assessment of the Airport facility, he had learned it was an important infrastructure to Warren County and its users were very pleased with the services it provided. However, Mr. Westcott added, he felt that through his role as a Supervisor for the Town of Queensbury, it was his duty to scrutinize expenditures to determine whether they were appropriate and necessary, regardless of whether they were being made with grant funding, and to make sure that any grant dollars received were being spent wisely. He said the Airport had been operated for many years without the additional land and easement purchases proposed and he was not convinced they were necessary now. Additionally, Mr. Westcott stated his opinion that the proposed extension of Runway 1-19 was not necessary either and he asked the Board to reconsider the overall expansion of the Airport facility. In conclusion, Mr. Westcott summarized that while he was in favor of efforts to maintain the Warren County Airport in its current capacity because it was an important part of the County's infrastructure, he had serious reservations about the amount of money being spent at the facility in light of the State budget projections being made.

In response to a question posed by Chairman Stec, Mr. Tennyson clarified that Runway 30 was not being extended and he explained the acquisition of property and easements were necessary to address existing obstructions to protected airspace which had been an issue for some time. He said the FAA had been very patient with the County over the years as they addressed longstanding obstruction issues, allowing them to be attended to in small increments as funding allowed; however, he said, if they did not continue efforts to address the obstructions, the FAA would likely take steps to shorten the effective length of the runway, thereby changing the glide path and protected airspace so that the obstructions were no longer of consequence. Mr. Tennyson apprised the FAA grant funding attributed to this project was completely separate from that anticipated for the proposed Runway 1-19 expansion project. Mr. Westcott commented that regardless of the consequences, he maintained his opinion that the project should be tabled until a more thorough review could be performed to determine whether the County should be making purchases of private property and easements estimated to cost approximately \$700,000 which would require perpetual maintenance. Mr. Conover said it was important to keep in mind that the property/easement acquisition was intended to promote aviation safety and was based on the FAA program presently in place. He added that although he supported the initiative from the FAA's safety prospective, he did have some concerns about the financial issues and challenges presented.

Relative to his prior request for a roll call vote on proposed Resolution No. 425, Resolution Requesting that State Legislators Require Anyone Receiving Public Assistance be Subject to Drug/Alcohol Testing, Mr. McDevitt said he found the request concerning because every time the State became involved in processes such as this the County ran the risk of incurring substantial unfunded mandates; he added that if regulations such as those proposed came to fruition, a series of rules and regulations would be imposed by the State that the County would likely be required to impose at their own cost. Continuing, Mr. McDevitt noted he also objected to approving resolutions for

submission to the State that they knew would not be acted upon. He commented that although it should be automatically assumed that any social services benefits received should not be involved with alcohol or tobacco purchases, it would be very naive to think that it did not happen and he said if a person tested positive for alcohol use, it would be very difficult to prove that public assistance monies had been used to purchase the alcohol. Mr. McDevitt stated infrastructure, education systems and the availability of equal/adequate communication systems should be the County's primary focus and they should not become involved in establishing programs that ran the risk of incurring additional costs through State mandates. Mr. Kenny stated that he was in favor of the proposed resolution and stated quite simply that if a person could afford to purchase drugs or alcohol, they did not need public assistance. Mr. Strainer noted that the resolution should indicate that benefits would be affected following a positive testing for an illegal drug as some persons might be taking prescribed substances. Mr. Bentley commented that County DPW employees were subject to random drug testing where a positive result meant termination and he said he felt the same regulations should be applied to people receiving public assistance.

Mr. Vanselow pointed out one section of the proposed resolution which stated "...all payments for the drug/alcohol testing would be paid by the recipient, and if a negative test result occurs, the recipient would be reimbursed the cost of the test and the County Agency will reinstate the benefits being applied for..." and he questioned whether the act of testing would cause a suspension of benefits. Mr. Auffredou responded that prior to the Board meeting, Mr. McDevitt had contacted him to question this point, as well. He explained the resolution was simply asking the State to take certain action to require testing for individuals receiving public assistance and he advised that if such a law were passed, adequate safeguards would be developed and implemented by the State to ensure that benefits were not wrongly terminated, or that one positive test result would cease a person's benefits indefinitely. Mr. Vanselow apprised that other States with similar regulations had encountered issues with children being harmed by the cessation of benefits when a parent failed drug/alcohol testing and he said this was another potential issue to be addressed.

Chairman Stec stated that while he understood the points made by Mr. McDevitt and agreed the County resolution was not likely to prompt action at the State level, he did not believe they should refrain from approving or forwarding a resolution based on a pre-conceived notion as to how the correspondence would be received. He added that if the County had a strong opinion on a matter, they should share it, even though it might not be acted upon. Mr. McDevitt noted approximately 12% of Warren County's population received food stamps and the cost of administering alcohol and drug testing for these benefits alone would be substantial.

Relative to the amended verbiage requested for proposed Resolution No. 456, concerning the intermunicipal agreement with the Village of Lake George for collection of parking revenues at the Beach Road parking lot, which was discussed earlier in the meeting, Mr. Auffredou suggested the following be added: "Resolved, that beginning in 2013 and continuing thereafter for the balance of the contract term with respect to parking revenue generated through non-metered special events, the Village shall remit 25% of such revenue to the County and the Village shall retain 75% of such revenues." Chairman Stec stated that the verbiage proposed by Mr. Auffredou confirmed what was agreed upon in discussions with Mayor Blais. Mr. Tennyson pointed out there was a revenue source from annual leases that might not be captured as special events, such as those where events or vendors were set up in the parking lot areas and Mr. Auffredou suggested a further amendment to indicate the County would expect to receive 25% of all revenues including, but not limited to, non-metered special events and/or leases. Chairman Stec stated that as per prior discussions, the County would not receive a share of any revenues from the collection of parking tickets and fines and the resolution should indicate this, as well, and Mr. Auffredou agreed.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JULY 20, 2012

Motion was made by Mr. Bentley, seconded by Mr. Dickinson and carried unanimously to approve the amendments proposed for Resolution No. 456, as outlined above.

Mrs. Sady announced that proposed Resolution Nos. 411 - 457 were mailed. She noted that proposed Resolution Nos. 414 and 421 had been corrected subsequent to mailing and therefore a motion was necessary to approve them as amended.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried unanimously to approve amendments to Resolution Nos. 414 and 421.

Proposed Resolution Nos. 433 - 437 and 464 related to the filling of vacant positions, Mrs. Sady advised, and she said that unless a roll call vote was requested, all would be approved in the collective vote. She then noted a motion was necessary to bring proposed Resolution Nos. 410, 458, 461, 464 and 465 to the floor.

Motion was made by Mr. Dickinson, seconded by Mr. Conover and carried unanimously to bring Resolution Nos. 410, 458 - 461, 464 and 465 to the floor. Chairman Stec noted that proposed Resolution No. 465 would require a roll call vote as it pertained to amending the Table of Organization and Warren County Salary and Compensation Plan.

Chairman Stec called for a vote on resolutions; Resolution Nos. 410 - 465 were approved with the exception of Resolution No. 427, which was tabled.

Concluding the agenda review, Chairman Stec asked if there were any announcements to be made.

Mr. Auffredou introduced Morgan Muller who would be serving as an intern in the County Attorney's Office throughout the month of August. He apprised Miss Muller was an alumna of the Queensbury school system, currently in her junior year at Boston College and had expressed an interest in eventually attending Law School. Mr. Auffredou said that prior to her internship with his Office, she had worked as an intern in the District Attorney's Office; he concluded that he was very delighted to have Miss Muller working with his Office.

A round of applause was held for Miss Muller.

There being no further business to discuss, on motion made by Mr. Sokol and seconded by Mr. Westcott, Chairman Stec adjourned the meeting at 11:52 a.m.