

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **PLANNING & COMMUNITY DEVELOPMENT**

DATE: MARCH 31, 2008

---

---

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS CHAMPAGNE  
STEC  
TAYLOR

**OTHERS PRESENT:**

REPRESENTING ECONOMIC DEVELOPMENT CORPORATION:  
LEONARD FOSBROOK, PRESIDENT  
JEFFREY FARLEY, DIRECTOR, ADIRONDACK REGIONAL  
BUSINESS INCUBATOR (ARBI)

**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS SOKOL  
BELDEN  
TESSIER  
MERLINO

REPRESENTING PLANNING & COMMUNITY DEVELOPMENT  
DEPARTMENT:  
PATRICIA TATICH, DIRECTOR  
WAYNE LAMOTHE, ASSISTANT DIRECTOR  
FREDERICK H. MONROE, CHAIRMAN  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &  
FISCAL SERVICES  
PATRICIA C. NENNINGER, 2<sup>ND</sup> ASSISTANT COUNTY ATTORNEY  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISOR STRAINER  
SUPERVISOR GOODSPEED  
SUPERVISOR THOMAS  
THOMAS RANDALL, *THE ADIRONDACK JOURNAL*  
DEBRA L. SCHREIBER, SR. LEGISLATIVE OFFICE SPECIALIST

---

---

In the absence of the Committee Chairman and Vice Chairman, Mr. Champagne called the Planning & Community Development Committee meeting to order at 10:15 a.m. Mr. Monroe, Chairman of the Board of Supervisors, made the quorum along with Supervisors Champagne, Stec and Taylor.

Motion was made by Mr. Stec, seconded by Mr. Taylor, and carried unanimously to approve the minutes of the February 25, 2008 Committee meeting, subject to correction by the Clerk.

Privilege of the floor was extended to Patricia Tatich, Planning & Community Development Director, who distributed copies of the agenda to the Committee members; *a copy of same is on file with the minutes.*

Commencing with Item 3 on the list of Pending Items, Mr. Champagne explained he was unable to attend the recent Warren/Hamilton County Community Action meeting and would update the Committee pending the outcome of the April meeting.

Continuing on with the list of Pending Items, Wayne LaMothe, Assistant Director of the Planning & Community Development Department, stated that he would present the

Abbreviated Consolidated Plan to the Committee upon completion, and, therefore, requested that Item 1 be removed.

With respect to Item 2, Mr. LaMothe apprised that the Quality Communities Grant funding for the Outdoor Drama Theater (ODT) expired on March 31, 2008 and all funds would be returned to New York State (NYS). He further noted that the resolution requesting a Fatal Flaw Analysis be performed to determine whether the selected parcel was suitable for this purpose was tabled at the March 21, 2008 Board Meeting and this study was to be completed using these grant funds. Ms. Tatich asked that her Department not expend any additional staff time on the ODT project and Mr. Champagne replied the Board members made a decision to not proceed with the project at this time.

Ms. Tatich noted their Department had no items that required Committee action.

Continuing on with the Planning General portion of the agenda, Ms. Tatich apprised that Warren County wished to have a study performed for the purpose of improving broadband services County-wide. When their Department was asked to seek grant assistance, she said, they coordinated their efforts with Rob Metthe, Information Technology (IT) Director, and Leonard Fosbrook, Economic Development Corporation (EDC) President, to review the various options. Ms. Tatich indicated the cost of the project study was approximately \$58,500 and her Department requested \$44,000 in a Smart Growth grant application, leaving a difference of \$12,500, which would be provided by Geographic Information System (GIS) services. She said she later learned from Mr. Fosbrook that the United States Department of Agriculture (USDA) had recently disbursed funds to many rural counties for the purpose of conducting broadband studies. Upon further research, Ms. Tatich said, it was her understanding that additional funds would be released for a community connect program and she thought if Warren County were to nurture that relationship, perhaps they would receive some of these monies.

After discussing the matter with the Chairman of the Board and learning Warren County was not the recipient of the Smart Growth funds, Ms. Tatich queried whether the County anticipated advancing any funds to initiate the flow of information on broadband services. She further suggested the Committee review the details of the grant application and thereafter confer with the IT Department to determine whether this was a project worth advancing. Mr. Champagne indicated that he would like to see this project move forward; however, he asked Ms. Tatich to prepare a brief overview of this Broadband project for the benefit of the new Committee members.

Referring to Item 2 on the agenda, Ms. Tatich apprised that the Adirondack Community Housing Trust (hereinafter referred to as the "Trust") gave a presentation at the Local Government Day in Lake Placid that explained there were five houses either being renovated or repaired, one of which was in North Creek. At the conclusion of the presentation, she said, she suggested Warren County establish a formal relationship with the Trust whereby the local planning departments would compile an inventory of applicants and apply for any grants under the Home Assistance Program at the New York State Division of Housing & Community Renewal (DHCR) or Small Cities. She stated the

Trust would work with the applicants and provide the counseling aspect of the Home Assistance Program.

Ms. Tatich asked the Committee whether it was their desire to establish some type of relationship with the Trust. In response to an inquiry by Mr. Champagne, Ms. Tatich replied there was a community-based, not-for-profit organization in Elizabethtown called the Housing Assistance Program of Essex County.

Mr. Monroe explained that upon the Trust acquiring the land (either vacant land or existing house), a 99-year renewable lease would be granted to the homeowner with the Trust paying the difference between the market value of the house and what the homeowner could afford. If a homeowner decided to sell the property, he said, they would receive twenty-five percent of the gain while seventy-five percent stayed with the home, thereby keeping the home affordable to other prospective buyers. In addition, he stated, a homeowner would receive 100 percent of the improved value of the property. Mr. Monroe further apprised that the success of this model was established in Burlington, Vermont twenty years ago with \$200,000 and was now used all over the Country.

Mr. Monroe stated a concern that had been raised was if someone were losing their home in a tax or mortgage foreclosure: Option 1 would be for the Trust to take title to the property altogether; or Option 2 would require the homeowner to forfeit some equity, convey the land to the Trust, but remain in the home with the possibility of regaining some of their equity. In Option 2, if a home were put on the tax rolls, he asked whether the Trust would be allowed to bid the sale prior to the general population and Patricia Nenninger, Second Assistant County Attorney, responded that Warren County did not have authority to take possession of or hold title to land for the Trust prior to foreclosure. Mrs. Nenninger further explained that if the County took title to a property in a tax foreclosure proceeding and they (Trust) were willing to pay the appraised value, perhaps the transfer would occur at that point. Mr. Monroe and Mrs. Nenninger offered a few possible scenarios; however, they concurred that some suggestions might not be constitutionally sound and, therefore, thought more people would be receptive to the first option. In response to inquiries by Mr. Champagne, Mr. Monroe replied the Trust received their funding in the Fall of 2007 and Deanne Rehm served on the Board of Directors of the Adirondack Community Housing Trust.

Within the next one to two years, Mr. Goodspeed commented there was the potential of an affordable housing crisis in the Town of Johnsbury with nearly 500 sites coming before their planning board. He said the Town had discussed with representatives of the Trust the possibility of trying to pass an inclusionary zoning amendment that would require developers to earmark ten or twelve percent of their proposed units for local residents or in the alternative, make a cash contribution into the Trust equaling the ten or twelve percent.

Ms. Tatich reiterated her request that their Department assist the Adirondack Community Housing Trust in ascertaining grant funds.

Motion was made by Mr. Taylor, seconded by Stec and carried unanimously approving the request as presented.

Moving on to Item 3, Ms. Tatich apprised that the Planning & Community Development Department provided planning, zoning and other related services to the community as required by law. She said they recently received a request from the Adirondack Regional Chamber of Commerce (ARCC) asking the County Planning Department to advance an application on their behalf. As a matter of protocol, she said, she would like to explain to this entity or any other entity that requested their services that their Department worked for the Board of Supervisors and the County.

Ms. Tatich went on to explain that their Department and the Local Development Corporation (LDC) entered into an agreement that outlined the responsibilities of each agency, and because the LDC and Chamber of Commerce were not-for-profit entities, she anticipated the County Planning Department being caught in a similar situation to the LDC. Ms. Tatich commented the ARCC application had been denied and they were now requesting the services of the County Planning Department. Based on past experience, she said, they were bound by legal limitations.

After a brief discussion, the general consensus of the Committee agreed with Mr. Champagne, that it was not the obligation of the County Planning Department to advise every not-for-profit agency. He further suggested that Ms. Tatich refer any not-for-profit requests to the Committee for their consideration.

During the last snow and ice storm, Ms. Tatich indicated that the Town of Hague declared a state of emergency and an employee within their Department, who was an emergency services volunteer, Martin Fitzgerald, offered his assistance to those individuals in need. Hal Payne, Commissioner of Administrative & Fiscal Services, stated this matter was being reviewed by the County Attorney and would be presented at the next Personnel Committee meeting as it involved several County employees. He further added the current contract did not specify any leave time for employees who volunteered their time in an emergency or disaster relief situations. As the Director of the Planning & Community Development Department, Ms. Tatich wished to expressed her support in advancing this matter on to the Personnel Committee.

Ms. Tatich briefly reviewed the new Table of Organization prepared by Mr. LaMothe noting some of the changes to their current projects and programs. Mr. Champagne stated he appreciated their efforts and was hopeful that every Department would prepare a similar table denoting the rules and responsibilities of each employee, identifying the goals and objectives of each Department, as well as performing employee evaluations, thereby holding each individual accountable.

Ms. Tatich apprised that in the April edition of the American Planning Association, Mr. LaMothe presented information on reclaiming the Hudson River and the improvements being performed in the Town of Johnsburg.

The Planning & Community Development Department concluded their agenda at 10:20 a.m.

Privilege of the floor was extended to Leonard Fosbrook, President, Economic Development Corporation, who distributed copies of the agenda, *a copy of which is on file with the minutes.*

Referring to the list of 2008 Internal EDC Projects, Mr. Fosbrook briefly reviewed the Organizational Capacity Building Initiative. He indicated approximately five years had passed since their last strategic and financial planning session, and since many of their board members and office staff had changed, now was the time to update the plan. As a result of that meeting, Mr. Fosbrook anticipated identifying a long-term financial plan relative to their operational and project costs; their marketing plan, general administrative policies and procedures, human resource policies, and accounting procedures would all be reviewed; and their Department had upgraded their computer system and acquired new up-to-date software. When Mr. Champagne queried about a time for project completion, Mr. Fosbrook replied he anticipated having this matter wrapped up by the end of June and they would probably meet two days off-site as their offices would not accommodate all parties.

Mr. Fosbrook noted that their office would provide a list of possible candidates at the next Committee meeting to replace Dave Capron, a member of Empire Zone Administrative Board, whose term had expired.

Mr. Fosbrook stated he was present during the Planning & Community Development Department meeting and wished to express his support for the broadband initiative for upstate economic development purposes. While the broadband initiative had been listed on their Project Priority List, he said, he would review their project fund balance to determine whether any monies were available to assist the County should they decide to move forward with their own funding. Mr. Geraghty stated it was his understanding they were attempting to fund this project through other New York State (NYS) agencies. Mr. Fosbrook said the timing of this project was absolutely critical as all funds available for 2008 had been awarded.

Privilege of the floor was extended to Jeffrey Farley, Executive Director of the Adirondack Regional Business Incubator (ARBI), who expressed his desire to update the Committee on the status of that project.

Mr. Farley began by explaining the incubator concept had been around for approximately seven years when it was conceptually started by Adirondack Community College (ACC) and had gone through different stages. Since he took the position of Executive Director of the ARBI, a website had been created and a significant amount of time and money had been expended in a building located at 36 Elm Street in Glens Falls.

Mr. Farley stated he was pleased with the progress they had made over the past year in addressing the economic needs of Warren County. He explained that incubators played a significant role in economic development by luring and maintaining large companies within the County, as well as the evolution of promoting small businesses and entrepreneurship. Many of the successful independent entrepreneurs and owners began business with the assistance of an incubator and he felt their incubator would be successful, as well. Mr. Farley stated they had reached a critical stage of the incubator

evolution and the time had come for the Committee to decide whether the ARBI should continue to progress forward or whether it was the desire of the County to back away.

Mr. Farley further apprised that the stakeholders that had an interest in the building were still involved and not much could be done with the funding until the parcel was sold. While the funds spent renovating the building only improved their chances to sell the parcel, he said, it was what was inside the building and not the building itself. He said he felt the next step was to pursue the incubator project under the auspices of ACC, establishing some presence on the ACC campus, and perhaps associate it with some of the outreach programs currently being offered.

Mr. Farley stated the ARBI would not survive without proper funding and if it came under the ACC umbrella, the seed for economic development would have been planted. He said he and Dr. Ronald Heacock, President of Adirondack Community College, envisioned an incubator project having two sides, a contract services side and an educational side.

Mr. Farley briefly touched upon the many accomplishments of the ARBI over the past year which included a supportive Board of Directors; the creation of an Advisory Committee; the addition of two affiliate members; the launching of a series of Lunch and Learn programs; featuring a speaker series; the development of a student internship series; as well as a full array of developmental programs. He said a tremendous foundation had been laid and all they needed was the additional funding.

Mr. Champagne added that when the Community College Committee met a few weeks ago, Dr. Heacock appeared anxious for the College to become a part of incubator program; however, he said, Dr. Heacock requested \$62 million from NYS for long-range projects and when he queried whether the incubator was inclusive of their plans, he responded in the negative. Mr. Farley replied that if the incubator were located on the ACC campus, it was his opinion that once they got "over the hump," this project had revenue-generating potential.

Mr. Thomas entered the meeting at 10:45 a.m.

If the incubator were located on the premises of ACC, Mr. Champagne queried whether Washington County would become involved. Mr. Farley replied that it was his understanding that while Washington County was originally involved in the incubator project, their participation had become almost non-existent and he anticipated there being significant potential for them to participate in the program again. Mr. Taylor commented that it appeared that Mr. Farley had focused his attention on building the incubator organization and that any success of the program would encourage people to become members and ultimately the building would follow.

In response to an inquiry by Mr. Champagne, Mr. Fosbrook indicated the County made a three-year commitment to the ARBI program, which expired in 2009, and they originally contributed \$75,000 per year; however, he said, that amount had been decreased to \$50,000. He further apprised that their organization was extremely supportive of the ARBI, which was why their Department provided space, clerical and support services and any funds that EDC received from the sale of 36 Elm Street would

remain in the ARBI budget. The property could be placed on the market at any time; however, Mr. Fosbrook explained that title could not officially change until ninety days after a determination had been made to sell the building. When the building was sold, he indicated each partner would receive their pro rata share of the sale proceeds.

Mr. Champagne queried whether there were sufficient funds to keep the incubator in operation until December 2008 and Mr. Farley replied affirmatively. In the meantime, Mr. Champagne suggested Mr. Farley provide the Committee with cost estimates to keep the program operational in 2009.

A brief discussion ensued.

Mr. Goodspeed apprised that the Adirondack Tri-County Nursing Home employed 120 individuals, accommodated 80 residents, and had accumulated a significant amount of debt. He said their current reimbursement rate did not pay their taxes and they continued to lose money on every resident each day. He indicated that he had sought assistance from Senator Little and Assemblywoman Sayward and while they were trying to remain optimistic, he said, it appeared as though the era of skilled nursing was reaching an end. Mr. Goodspeed stated this was now a short term problem rather than long term and it would be a sad day in the Town of Johnsbury if this facility were to close its doors after forty years of service. Mr. Farley said this would be the perfect opportunity to assist a struggling facility on how to establish a new business plan that focused on their future goals and objectives without re-inventing the wheel. Mr. Goodspeed commented the Administrator of the Adirondack Tri-County Nursing Home was Dave Lovelace.

A brief discussion ensued.

There being no further business to come before the Committee, on motion by Mr. Stec and seconded by Mr. Taylor, Mr. Champagne adjourned the meeting at 10:58 a.m.

Respectfully submitted,

Debra L. Schreiber  
Sr. Legislative Office Specialist