

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: GASLIGHT VILLAGE AD HOC

DATE: JULY 22, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS KENNY
MONROE
THOMAS
MERLINO
BELDEN
MCCOY
CONOVER

OTHERS PRESENT:

PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD
SUPERVISORS BENTLEY
LOEB
STEC
STRAINER
TAYLOR
WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
JEFFERY TENNYSON, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
ROBERT BLAIS, MAYOR, VILLAGE OF LAKE GEORGE
LEN FOSBROOK, PRESIDENT, ECONOMIC DEVELOPMENT CORPORATION
PETER BAUER, EXECUTIVE DIRECTOR, FUND FOR LAKE GEORGE
WALT LENDER, EXECUTIVE DIRECTOR, LAKE GEORGE ASSOCIATION
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *THE ADIRONDACK JOURNAL*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST
Please see the sign-in sheet for additional meeting attendees.

Mr. Kenny called the meeting of the Gaslight Village Ad Hoc Committee to order at 11:00 a.m.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

The meeting agenda was distributed to the Committee members, a copy of which is also on file with the minutes.

Commencing with Agenda Item IIIA, Mr. Kenny asked Chairman Monroe to update the Committee on the proposed restructuring of the boundaries for the Gaslight Village Festival Space. Chairman Monroe apprised that the current boundaries included the "bump-out" along West Brook Road, which was no longer being implemented, and excluded an easement allowing access from the Festival Space to Beach Road. He said the boundaries should be restructured to reflect the revised layout for the space, as both the demolition plans and the TEP (Transportation Enhancement Program) grant would refer to the updated plans, rather than those originally indicated. Chairman Monroe added that although the 3M's (Municipalities - Warren County, Town of Lake George and Village of Lake George) and the 3E's (Environmental Groups - The Fund for Lake George, The Lake George Association and The Lake George Land Conservancy) concurred that revisions to the Festival Space boundaries were necessary, Mr. McCoy had objected to them unless they were tied to agreements with the Lake George Steamboat Company and the Fort William Henry Resort.

Mr. McCoy noted the property allowing access to Beach Road had several easements attached, including those with the Lake George Steamboat Company and the Fort William Henry who were unwilling to allow its use unless all buildings on the Festival Space were removed. Since he was in favor of retaining the Cavalcade of Cars Building, Mr. McCoy was opposed to revising the boundaries unless an alternate agreement could be reached with the two opposing entities. Mr. Kenny announced that he had received a letter from Robert Flacke, of the Fort William Henry Resort, which reinforced Mr. McCoy's indications that both entities were seeking the removal of buildings on the property before they would agree to use of the easement accessing Beach Road; *he later read a portion of aloud*

for the Committee's benefit. Chairman Monroe said he understood Mr. McCoy's position and although it would be preferable to reach an agreement for the easement, he felt the Festival Space boundaries could be restructured without it. Mr. McCoy responded that he would be agreeable to the boundary revision if it could be done without making any commitments for removal of the Cavalcade of Cars Building.

Mr. Belden questioned whether an RFP (request for proposal) was necessary to seek out surveying services in connection with the boundary revisions and Chairman Monroe replied in the negative, advising an RFP was not required for expenses totaling less than \$3,000. He noted that although a full physical survey would be required at some point, he felt a legal description indicated on a survey map would suffice for the time being.

Peter Bauer, Executive Director of The Fund for Lake George, apprised the Chazen Group had developed a schematic of what the revised Festival Space boundaries would be and those plans had been conveyed to Paul Dusek, County Attorney/Administrator, for his review. He said they were hoping to finalize all legal agreements for the revision before a physical survey was performed.

Motion was made by Mr. Belden and seconded by Mr. McCoy to approve the revised boundaries of the Festival Space, with a physical survey to be performed in the future, if necessary.

Mr. Kenny questioned how the costs associated with the survey would be funded and Chairman Monroe replied it was initially anticipated that parking revenues would be used, but noted that a secondary funding mechanism should be identified in the event that sufficient parking revenues were not available. Mr. Dusek noted that the ownership structure of the Gaslight Village property had been developed so that none of the Municipalities could be forced to provide funding for any cost associated with the property which they had not previously consented to. He advised the purpose of the parking revenues had been intended to fund maintenance and repair of the property, with any remaining funds being divided between the 3M's each year in proportion to their percentage of ownership. Mr. Dusek stated this distribution would provide a mechanism for funding of expenses other than maintenance and repair; however, he said, the 3M's would have to unanimously approve of the work in order to justify the expense and distribute the costs.

Chairman Monroe pointed out that although a considerable amount of funding had been collected for parking revenues, the Town of Lake George was currently seeking some of these monies as reimbursement for maintenance services performed on the property; he added that this issue was included on the agenda as Item IIID for further discussion later in the meeting. Mr. McCoy noted there was a total of \$39,000 available in parking revenues of which the Town was seeking \$23,891, which would leave sufficient funding for the survey costs.

When asked for clarification on the easement allowing access to Beach Road, Mr. Dusek explained that there were several easements attached to the property, including one allowing the Lake George Steamboat Company and Fort William Henry to park cars thereon, which effectively diminished the ability to use the easement to provide access from the Festival Space to Beach Road. He further explained their original plan was to seek a release of the easements held by the Steamboat Company and the Fort William Henry to gain an unencumbered right-of-way (ROW) for safe access to Beach Road, while providing separation for vehicles parking on the property to access the Steamboat Company.

Subsequent to further discussion on the matter, Mr. Kenny called the question and the previously stated motion pertaining to revision of the boundaries of the Festival Space was carried unanimously and the necessary resolution was authorized for the August 20th Board meeting.

As Agenda Item IIIB, pertaining to the agreement with the Fort William Henry and the Lake George Steamboat Company, had been addressed in the previous discussion, Mr. Kenny announced they would move to Agenda Item IIIC, update on the TEP grant. Mr. Dusek apprised that this item related to the RFP for building demolition, which Dave Decker, Project Manager/Director of the Lake George Watershed Coalition, had indicated would be available for public bid during the following week. Robert Blais, Mayor of the Village of Lake George, announced that signed grant documents had been received ensuring that the \$2.5 million TEP grant would be received. He noted that a meeting would be held on July 29th during which NYSDOT (New York State Department of Transportation) officials would be present to answer any grant related questions and he invited all of the Committee members to attend. Mr. McCoy noted that Mr. Decker should be invited to future Committee members as there may be discussions or questions in which his input would be valuable. (*Note: Mr. Decker is included on the mailing list for all County meeting notices.*)

Continuing to Agenda Item IIID, Mr. Kenny advised the Town of Lake George was seeking reimbursement in the amount of \$23,891 for maintenance performed on the Gaslight Village property for the time period from May 23, 2008 through October 14, 2009. He noted that the agenda included an itemized listing of the maintenance work provided.

Mr. Belden said although he was agreeable to providing reimbursement for the maintenance costs as requested, he felt it pertinent to note that during his term as the prior Supervisor for the Town of Lake George, Mr. Tessier had announced that the majority of the costs associated with the work listed would be borne by the Town with no expected contribution from the County or Village of Lake George.

Motion was made by Mr. Bentley, seconded by Mr. Conover and carried unanimously to approve reimbursement to the Town of Lake George in the amount of \$23,891 as requested, and the necessary resolution was authorized for the August 20th Board meeting.

Chairman Monroe said he agreed with Mr. Belden's comments and reiterated his statements regarding Mr. Tessier's previous declarations that the Town of Lake George would fund the maintenance costs listed with no required contribution from the other members of the 3M group. He added that in order to stop this situation from recurring, an agreement should be developed to indicate how such future costs would be shared amongst the 3M's. Mr. McCoy noted that this should not cause an issue since parking fees were intended to be used for maintenance of the Gaslight Village property and Chairman Monroe responded that, as per the indications given by Mr. Dusek earlier in the meeting, no member of the 3M's was obligated to fund any incurred cost unless it was authorized in advance, which was not the case in this instance. Mr. McCoy stated that if reimbursement was not going to be granted for maintenance work, the Town would cease providing the services. Chairman Monroe replied that he was not protesting reimbursement to the Town, but simply suggesting that a definitive agreement between the 3M's should be set forth for future cost sharing practices.

Concluding the agenda review, Mr. Kenny noted that Agenda IIIE, pertaining to an update on the demolition RFP, had been discussed earlier in the meeting and there was no further information to present relative to the demolition of the Cavalcade of Cars Building.

Mr. McCoy reminded the Committee that at a prior meeting they had authorized a resolution approving 2010 event parking on the Gaslight Village property and setting a salary of \$8.50 per hour for parking attendants to be reimbursed from the parking revenues received, which had later been adopted as Resolution No. 410 at the June 18th Board meeting. He apprised the Town was currently using their employees to provide for the parking services at a rate of \$10 to \$11 per hour and only being reimbursed \$8.50 per hour as listed in the resolution, which was

unfair to the Town. Mr. McCoy noted that only one parking attendant was being used now, but increased parking staff would likely be required for the Car Show scheduled to be held in September. He further noted that no overtime costs were incurred in connection with parking work as employees working on the weekends were given days off during the week to avoid exceeding their scheduled work hours. As he had deemed it unfair to expect the Town to absorb the additional costs, Mr. McCoy proposed that the hourly rate for parking attendees be increased from \$8.50 per hour to \$11.00 per hour, commensurate with the salary expenses incurred. He added that if the Committee was not amenable to increasing the salary, he felt they should hire parking attendees from an outside source for the rate identified.

Mr. Kenny opined it had been the Committee's assumption that parking attendees would be hired outside of County/Village/Town staffing and that was why the lower salary had been set. Mr. Conover said he did not feel Mr. McCoy's request was unreasonable and suggested that the salary be increased to \$11.00 per hour for the remainder of the 2010 parking season to sufficiently cover the costs incurred by the Town while developing a better plan for parking procedures in 2011.

Subsequent to further discussion on the matter, motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to amend Resolution No. 410 of 2010 to increase the parking attendee salary from \$8.50 per hour to \$11.00 per hour for the remainder of the 2010 parking season, and the necessary resolution was authorized for the August 20th Board meeting.

As there was no further business to come before the Committee, on motion made by Mr. McCoy and seconded by Mr. Conover, Mr. Kenny adjourned the meeting at 11:38 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist