

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: GASLIGHT VILLAGE AD HOC

DATE: DECEMBER 9, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS KENNY
THOMAS
MERLINO
BELDEN
MCCOY
CONOVER

OTHERS PRESENT:

ROBERT BLAIS, MAYOR, VILLAGE OF LAKE GEORGE
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS BENTLEY
STEC
STRAINER
TAYLOR
VANNESS
TANYA BRAND, GROUP TOUR PROMOTER
LUISA CRAIGE-SHERMAN, EXECUTIVE DIRECTOR OF THE LAKE GEORGE
REGIONAL CHAMBER OF COMMERCE
DAVE DECKER, DIRECTOR OF THE LAKE GEORGE WATERSHED COALITION
C. WALT LENDER, EXECUTIVE DIRECTOR OF THE LAKE GEORGE ASSOCIATION
WILLIAM DUTCHER, AMERICADE, INC.
FRED AUSTIN, FORT WILLIAM HENRY
KAREN AZER, LAKE GEORGE CITIZENS GROUP
DENNIS BARDEN, LAKE GEORGE CITIZENS GROUP
KATHY REDPATH, LAKE GEORGE CITIZENS GROUP
THOM RANDALL, *ADIRONDACK JOURNAL*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR MONROE

Mr. Kenny called the meeting of the Gaslight Village Ad Hoc Committee to order at 11:26 a.m.

Motion was made by Mr. Belden, seconded by Mr. Thomas and carried unanimously to approve the minutes from the September 10, 2010 Committee meeting; subject to correction by the Clerk of the Board.

Copies of the agenda were distributed to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Kenny apprised an accounting of the parking revenues which were collected from June through August 2010 was included in the agenda packet, as well as invoices for maintenance and parking services provided by the Town of Lake George for May through August 2010. He said a resolution was required to pay the invoices from the Town of Lake George.

Motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to authorize payment of the invoices submitted by the Town of Lake George for maintenance and parking services for the former Gaslight Village property. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 17, 2010 Board meeting.*

Mr. Kenny advised that he had met with Paul Dusek, County Attorney/Administrator, to discuss the possibility of developing a dispute resolution plan in the event the County and the Village of Lake George were in disagreement pertaining to the management and/or use of the Festival Space in the future.

Mr. Dusek said it was advisable to develop a dispute resolution plan and noted there were several models which could be followed. One model, he continued, would be for the Village of Lake George to act as the agent responsible for management, rental, etc. of the Festival Space and to report back to the County. A second model, he commented, would be to establish a group consisting of County and Village representatives who would be appointed to make decisions; however, he added, it would be necessary to determine an acceptable level of authority for the group. Mr. Kenny requested Mr. Dusek determine the best way to proceed and make a suggestion to the Committee at a future meeting. Mr. Merlino said he liked the concept of a group consisting of representatives from the County and the Village. He added decisions needed to be made, such as the usage fees to be charged for the Festival Space. Mr. Kenny informed he had met with the Chairman of the Board pertaining to whether the Gaslight Ad Hoc Committee would continue or a separate Committee would be established to oversee the management of the Festival Space. Mr. Kenny stated the responsibility for making that determination would belong to the newly selected Chairman of the Board in 2011. Mr. Conover asked if the first model was the equivalent to a partnership where one party was the operating partner and Mr. Dusek replied affirmatively. Brief discussion ensued pertaining to the two possible models suggested by Mr. Dusek.

Mr. Belden stated that regardless of which management model was selected, he would like a monthly report on the details of the Festival Space. Furthermore, he continued, invoices for maintenance and parking services should be submitted by the Village of Lake George on a monthly basis. Mr. Merlino pointed out the County was in debt to the Village of Lake George in the amount of \$105,000 and it would be some time before the County generated any revenue from the property. He recommended a Committee be established consisting of two or three County Supervisors and representatives from the Village of Lake George. He added the usage fees charged for the Festival Space should be consistent for every event and he agreed with Mr. Belden that monthly reports would be beneficial. Mr. Kenny stated those decisions would be made by either the Gaslight Village Ad Hoc Committee; a future Committee appointed by the Chairman of the Board; or the responsibility for the property would be absorbed by a Standing Committee.

Mr. Dusek suggested one person be appointed to oversee the operation of the 2.5 acres of Festival Space and provide monthly reports and he compared the position to that of a County Department Head who reported to a supervising Committee. He added officials from the County and the Village of Lake George could meet monthly to receive the report. He said Robert Blais, Mayor of the Village of Lake George, had raised several questions, such as the usage fees to be charged. Mr. Dusek stated research would need to be completed to determine the usage fees charged at similar facilities. Mayor Blais questioned who the County representative or supervising Committee would be to grant consent and/or authority for actions taken or decisions made pertaining to the Festival Space. He advised there was a Project Management Committee which consisted of himself, Chairman Monroe and representatives from the 3E's (three environmental groups) who met the third Tuesday of every month. He asked who the County representative for the Project Management Committee would be in 2011. He said he agreed with Mr. Dusek's suggestion that one employee of the County be appointed to oversee the property and added that person should work in cooperation with one representative from the Village of Lake George with both reporting to one Committee consisting of representatives from the County and the Village. Mayor Blais reported that requests for use of the Festival Space had already been submitted for Spring of 2011. Mr. Kenny stated he would report to the Chairman of the Board pertaining to issues discussed at today's meeting.

Mr. Belden opined it was important to have equal representation from the County and the Village and said questions pertaining to the Festival Space would need to be addressed on a monthly basis. He pointed out the County had the largest investment in the property. Mr. McCoy suggested the Director of Parks, Recreation & Railroad would be the best choice for a representative from the

County and Mr. Kenny replied the County representative would be selected by the newly appointed Chairman of the Board for 2011. Mr. Merlino questioned why the 3E's would be included in decisions pertaining to the Festival Space and Mr. Kenny responded the issue would be included among topics for discussion at a future meeting.

Mr. Kenny addressed the possibility of selling the naming rights for the Festival Space and pointed out this was something that had been done by communities in the past. Mr. Merlino opined it would be necessary to determine the price of doing so and Mr. Kenny replied they would set a minimum bid for the purchase of naming rights. Mr. Kenny said a portion of the name could be specified as necessary to be included in the final name and he gave the example of 'Warren County Festival Grounds'. Mayor Blais noted the Village of Lake George had encouraged suggestions for naming the former Gaslight Village property and of the 55 suggestions received, the most popular suggested name had been 'Gaslight Commons'. He added there had also been interest from local companies to purchase the naming rights for the Festival Space. Mr. Kenny queried if it was appropriate for the County to establish a minimum bid for the purchase of the naming rights of the Festival Space. Mr. Dusek replied a minimum bid could be established as part of a sealed bidding process; however, he added, it was necessary to first determine if selling the naming rights violated the terms of the bonding.

Mr. Kenny said Mayor Blais had requested to address the topic of usage fees for the Festival Space; however, he added, this item would be addressed by the supervising Committee once one was established. Mayor Blais reiterated there were organizations interested in using the property in the spring and it was necessary that the usage fees be established as soon as possible. He advised the Lake George Area Boat Dealers Association would be able to use the property as is; however, he added, they would need to advertise their selected location as soon as possible. Mayor Blais apprised he had met with Michael Consuelo, Special Events Coordinator for the Lake George Regional Chamber of Commerce, and they had both received inquiries pertaining to what terrain would be present on the Festival Space by Spring of 2011. Mr. Kenny said he had received comments from representatives of the Adirondack National's Car Show that they did not want gravel to be part of the ground cover as it would cause damage to the antique automobiles.

Mr. Belden asked if demolition had commenced on the southern portion of the property and Dave Decker, Director of the Lake George Watershed Coalition, responded that the contractor had mobilized the equipment to the site the morning of December 9, 2010. Mr. Belden questioned if all the buildings would be demolished by Spring of 2011 and Mr. Decker replied in the negative and noted demolition would continue through the spring. Mr. Kenny requested an updated demolition schedule and Mr. Decker distributed copies to the Committee members; *a copy of the Project Schedule Update is on file with the minutes.*

Mr. Conover suggested an interim group be established until a supervising Committee could be determined in order to set usage fees. Mr. Dusek advised it was not necessary to establish a County Committee, a small group could be established to respond to inquiries and problems for the Festival Space. He continued that the issue was there were no existing agreements in place between the County and the Village of Lake George pertaining to usage fees. Mayor Blais mentioned he had met with Mr. Consuelo who had completed research of the usage fees charged at similar venues. Mayor Blais listed the suggested usage fees for the 2.5 acres of Festival Space, as follows:

- ▶ \$1,800 per day rental;
- ▶ \$300 per day for set-up fees;
- ▶ \$300 per day for tear-down fees;
- ▶ \$900 per half day rental;

- ▶ discount of 25% to be offered to not-for-profit organizations; and
- ▶ all fees to include the cost of electricity.

Mayor Blais advised the proposed usage fees were comparable to the usage fees charged by the Village of Lake George for the Beach Road Parking Lot and would be acceptable to the Village Board. Mr. Kenny questioned who would be responsible for set up/tear down and the amount of electrical usage that would be acceptable. Mayor Blais responded the promoter of the event would be responsible for set up and tear down and the property would not have electricity by Spring of 2011. Mr. Kenny noted there would be additional costs for items such as trash removal and Mayor Blais responded the Village was prepared to establish fees for such items based on the current fees charged for the Beach Road Parking Lot. Mr. Belden opined that Mr. Consuelo had a responsibility to provide the County with the same information he had provided to the Village of Lake George. Mayor Blais countered that he had given Mr. Consuelo a questionnaire to fill out and the information had just been provided within the last week. Mayor Blais added that he and Mr. Consuelo would like to create marketing materials for the Festival Space to be presented at the group tour and trade shows attended by Mr. Consuelo. Mr. Dusek said the underlying issue was if the property would be available by the Spring of 2011.

Mr. Decker reviewed the Project Schedule Update in detail and noted the dates listed in red reflected activities which had been completed. He stated the contractor had completed the asbestos abatement activities and had extracted salvageable materials from the site. He noted the demolition permits had been issued by the County and delivered to the contractor. Mr. Decker expounded there was a project kickoff meeting scheduled for December 10, 2010 at NYS DOT (New York State Department of Transportation) Region 1 Headquarters. He advised they were unsure of when the NYS DOT contractor would commence the rough grading and site improvements following demolition because the State had been outside of the 45-day deadline in awarding the contract. He added in the contractor's bid there had been liquidated damages in the contract that provided for an end of January completion for the first phase of work. Until the December 10, 2010 meeting, he continued, it was unknown if the NYS DOT contractor would ask for relief which would allow him to exceed the end of January deadline. Mr. Decker apprised that the contractor for demolition, Jackson Demolition, had indicated it would take two weeks from Monday, December 13, 2010 to be substantially complete with the demolition of the Charley's Saloon building on the South Parcel and they would move to the North Parcel to demolish the restroom facility at the same time.

Mr. Decker expounded that the NYS DOS (New York State Department of State) was concerned with the number of sub-surface unknowns on the South Parcel that they were unwilling to commit to releasing the contractor to complete the balance of the demolition on the North Parcel until the issues were defined. He advised there was only enough NYS DOS funding to complete the stormwater treatment project on the South Parcel and the balance of the demolition on the North Parcel. Mr. Dusek asked if there was a possibility of not having enough funds to complete demolition on the North Parcel. Mr. Decker responded it was unknown if the NYS DOT contractor would discover sub-surface issues during excavation and he added the NYS DOT grant was for \$600,000. He added if the NYS DOT contractor ran over budget the only other funding available was the \$1.2 million NYS DOS grant contract. Mr. Belden inquired if the cost of demolition of the Charley's Saloon building was from the \$1.2 million NYS DOS grant contract and Mr. Decker replied affirmatively and added the demolition of the restroom facility was covered by the same funding source. Mr. Dusek interjected it was conceivable that there would not be sufficient funding to cover the cost of demolition and Mr. Decker responded it was possible; however, he added, it would be unknown until the NYS DOS contract was completed.

Discussion ensued.

Mr. Dusek commented that it was unknown if the property would be available for rental in the spring. Mr. Kenny responded it was something that was necessary to know as there were organizations currently requesting a contract for use. Mr. Dusek asked when the date of completed demolition would be known and Mr. Decker replied there would be more clarity pertaining to the demolition schedule following the December 10, 2010 NYS DOT project kickoff meeting. Once excavation commenced, he added, the sub-surface unknowns would be revealed and would further clarify the demolition schedule. Mr. Dusek stated it would be necessary to schedule an additional Committee meeting once all the information was received.

Mr. Thomas inquired as to the total cost of demolition and Mr. Decker responded \$38,000 for Phase 1 and an additional \$245,000 for the remaining demolition. Mr. Thomas asked if it was beneficial to pay the cost of demolition outright and have all of the demolition completed at one time. Mr. Decker replied that the NYS DOS was advising there were too many unknowns to commit the funds towards the cost of demolition. He apprised the primary focus of the grant funding was the stormwater treatment project and the demolition was secondary. Mr. Kenny agreed with Mr. Dusek that it would be necessary to schedule an additional Committee meeting. Mr. Kenny requested that Mayor Blais share the proposed fee structure with Mr. Dusek so it could be distributed to the Committee members.

As there was no further business to come before the Gaslight Village Ad Hoc Committee, on motion made by Mr. Merlino and seconded by Mr. Belden, Mr. Kenny adjourned the meeting at 12:11 p.m.

Respectfully submitted,
Charlene DiResta, Senior Legislative Office Specialist