

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: LEGISLATIVE & RULES

DATE: MARCH 7, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MONROE
BENTLEY
THOMAS
SOKOL
WOOD
FRASIER

OTHERS PRESENT:

DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS TAYLOR
MASON
STRAINER

COMMITTEE MEMBER ABSENT:

SUPERVISOR GIRARD

MIKE SWAN, COUNTY TREASURER
JON ALEXANDER, *THE POST STAR*
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

Mr. Monroe called the meeting of the Legislative & Rules Committee to order at 11:00 a.m.

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

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

Mr. Monroe presented Agenda Item 1, a request for a resolution calling on all counties to unite to bring about real and meaningful mandate relief in New York State. He reviewed Resolution No. 2 of 2012 from the Inter County Legislative Committee of the Adirondacks; a copy of which is included in the agenda packet.

Motion was made by Mr. Bentley and seconded by Mrs. Wood to support a resolution urging New York State to take action to bring about real and meaningful mandate relief to Warren County.

Mr. Monroe cautioned that each County was allowed to submit only three requests for consideration by the Mandate Relief Design Team. Mr. Monroe said he believed there were other issues that would take precedence. It was the consensus of the Committee that the resolution not be included as one of the three mandate relief requests.

Mr. Monroe called the question and the motion was carried unanimously to approve the request supporting a resolution urging New York State to take action to bring about real and meaningful mandate relief to Warren County, and excluding the resolution from the three allowable mandate relief requests. The necessary resolution was authorized for the March 16, 2012 Board Meeting.

Mr. Monroe presented Agenda Item 2, which was referred from the Economic Growth & Development Committee recommending a resolution requesting that the Governor and Economic Development Council reconsider the State's purchase of the former Finch & Follensby Pond timberlands, due to the negative economic impact the purchase would have on the Warren County region, namely resulting in the loss of a significant number of jobs.

Motion was made by Mrs. Wood and seconded by Mrs. Frasier to approve the request to authorize a resolution

urging the Governor to reconsider the purchase of the former Finch & Follensby Pond timberlands as outlined.

A discussion ensued and Mr. Monroe stated that although 240 job losses were indicated, the exact number of lost jobs was not certain. He further advised that the Department of Environmental Conservation's (DEC) Division of Lands and Forests had reported to the Northeast Forester Association that for every 1,000 acres of woodland, there were 3 forestry jobs and .8 recreational use jobs lost. He stated the land the State desired to purchase included 65,000 acres of Finch land and 15,000 acres of Follensby Pond land for a total of 80,000 acres and he explained that an exact figure for job losses was a complex matter which included the amount of productive forest land, which both effected direct jobs and those which resulted from the multiplier effect. With 80,000 acres in question, Mr. Monroe declared that job losses would be substantial and Mr. Dusek concurred.

A discussion ensued.

Mr. Monroe called the question and the motion was carried unanimously authorizing a resolution urging the Governor to reconsider the purchase of the former Finch & Follensby Pond timberlands due to the negative economic impact and job losses that would result from the purchase, and the necessary resolution was authorized for the March 16, 2012 Board Meeting. *A copy of the previous resolution opposing this purchase (Resolution No. 146 of 2011) is on file with the minutes.*

Mr. Thomas expressed his support for a land exchange initiative where in situations where the State sought to purchase land from the County to be used as forest preserve, they would offer an exchange of property which was previously acquired and not used as forest preserve. Mr. Monroe opined that DEC middle managers would agree; however, he said, once land was classified as forest preserve, a land exchange would require a constitutional amendment. He offered that there was some indication from a recent meeting held with State Representatives that they would favor such a resolution, as opposed to handling such matters on a case by case basis especially those involving smaller parcels. Mr. Monroe cited two parcels in Warren County where the County could benefit from purchasing land from the State, and the State could benefit by using the money to purchase additional forest preserve. In the case of the Middleton Bridge, he stated, the County's inability to purchase land from the State prevented necessary bridge construction. It was noteworthy, he added, that State property not recorded as forest preserve was not subject to taxation. The underlying problem, as summarized by Mr. Monroe, was the fact that two State agencies had inconsistent positions regarding land classification. In summary, Mr. Monroe said, if municipalities were able to purchase property at fair market value, and the State used that money to purchase additional properties for forest preserve, a mechanism would be in place for future economic development.

Motion was made by Mr. Thomas, seconded by Mr. Sokol and carried unanimously to propose that should New York State purchase additional lands for forest preserve, that they offer to exchange property previously acquired and not used for forest preserve and the necessary resolution was authorized for the March 16, 2012 Board Meeting.

Mr. Monroe stated that Agenda Item 3 pertained to legislation to appeal or suspend the Triborough Amendment, which included Senate Bill 4478 and Assembly Bill 8115. He explained that the Triborough Amendment prohibited public employers from altering any provision of an expired labor agreement until a new agreement was reached. The amendment, he said, placed the County in a vulnerable position and removed the incentive for bargaining unit negotiations, as steps would continue beyond contract expiration dates and during negotiations. Mr. Dusek informed that the State Legislature was considering giving the municipalities

to right to refuse to continue the terms of the employees until the new labor agreement was negotiated. He noted that inclusion of a clause may be beneficial; however, he said, it would not fully resolve the matter. The Assembly Bill, he said, stated that the County was allowed to adopt a wage or step freeze within a contract year, for a one year period, with either the absence or presence of a contract, and if passed and noticed for public hearing, could result in the creation of a local law.

Motion was made by Mrs. Wood, seconded by Mr. Bentley and carried unanimously to authorize a resolution supporting Senate Bill 4478 and Assembly Bill 8115, or a reasonable combination of both bills to enable an appropriate approach to mandate relief by appealing the Triborough Amendment. Copies of Senate Bill 4478 and Assembly bill 8115 and related documentation are on file with the minutes and the necessary resolution was authorized for the March 16, 2012 Board Meeting.

There being no further business to come before the Committee, on motion made by Mrs. Wood and seconded by Mr. Bentley, Mr. Monroe adjourned the meeting at 11:28 a.m.

Respectfully submitted,
Joanne Collins, Legislative Office Specialist