

Warren County Board of Supervisors

**SPECIAL BOARD MEETING
TUESDAY MARCH 2, 2021**



Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed".

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF SUPERVISORS OF WARREN COUNTY:

You are hereby notified that I, RACHEL E. SEEBER, Chairwoman of the Board of Supervisors of the County of Warren, pursuant to the power vested in me by Rule A.3 of the Rules of the Board of Supervisors, hereby call and convene a special meeting of the Board of Supervisors of Warren County to be held in the Supervisors' Room in the Warren County Municipal Center, Town of Queensbury, New York, on **MARCH 2, 2021 AT 1:00 P.M.**, for the purpose of:

1. To discuss pending litigation; and
2. To conduct such other business as may properly come before the Board of Supervisors.

The Clerk of the Board of Supervisors is hereby directed to call for the meeting and give written notice to all members of the Board of Supervisors of such meeting.

Dated: February 25, 2021

RACHEL E. SEEBER, CHAIRWOMAN
Warren County Board of Supervisors

To the Members of the Board of Supervisors: At the direction of the Chairman of the Board, I am notifying you of the Special Meeting called for the time, place and purposes set forth above.

AMANDA ALLEN, CLERK
Warren County Board of Supervisors

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 1:02 p.m.

**WARREN COUNTY BOARD OF SUPERVISORS
SPECIAL BOARD MEETING
TUESDAY, MARCH 2, 2021**

Ms. Rachel E. Seeber presiding.

Salute to the flag was led by Supervisor Conover.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Smith, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber-19 Absent -1 Supervisor Frasier.

Supervisors Diamond, McDevitt, Braymer, Driscoll, Hogan, Merlino, Magowan, Thomas, Shepler, Geraghty and Seeber were physically present, while Supervisors Conover, Leggett, Bruno, Smith, Dickinson, Strough, Wild and Beaty attended virtually.

Chairwoman Seeber called for a motion to enter into executive session to discuss pending litigation.

The necessary motion was made by Supervisor Diamond, seconded by Supervisor Magowan and carried by majority vote, with Supervisor Braymer voting in opposition, to enter into to enter into an executive session to discuss pending litigation pursuant to Section 105(1)(d) of the Public Officer's Law.

Executive session was held from 1:04 p.m. until 3:01 p.m.; Supervisors Diamond and Driscoll exited the meeting during the executive session.

Upon reconvening, Chairwoman Seeber announced no action was taken during the executive session.

Proceeding to the privilege of the floor section, Chairwoman Seeber asked Don Lehman, *Director of Public Affairs*, if any public comments had been received and he replied affirmatively. Mr. Lehman advised an individual identifying themselves as June Maxam had asked what the purpose/cause of the executive session was other than "pending litigation" which was not an acceptable or legal reason to hold an executive session. Chairwoman Seeber requested that Mary Elizabeth Kissane, *County Attorney*, respond to Ms. Maxam's inquiry. Ms. Kissane advised under Section 105(1)(d) of the Public Officer's Law discussion regarding pending litigation was identified as an appropriate reason to enter into an executive session. Mr. Lehman read aloud that Ms. Maxam also indicated the reason had to be stated before entering into an executive session and she questioned what Chairwoman Seeber had stated as the reason; Mr. Lehman said he believed this response was covered in the explanation provided by Ms. Kissane. Chairwoman Seeber asked Ms. Kissane to further clarify and Ms. Kissane informed before the Board entered into the executive session the Chairwoman of the Board of Supervisors had stated the purpose for the executive session was to discuss pending litigation which was specified correctly. Mr. Lehman apprised this concluded the public comments.

Chairwoman Seeber offered privilege of the floor to any of the Supervisors wishing to address the Board on any matter, but there was no response. She then called for announcements, but there were none.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Magowan, seconded by Supervisor Shepler and carried unanimously, Chairwoman Seeber adjourned the Board Meeting at 3:04 p.m.