

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, MARCH 19, 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".

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 10:09 a.m.

Ms. Rachel E. Seeber presiding.

Salute to the flag was led by Supervisor Frasier.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Smith, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber-20 Absent -0

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

Chairwoman Seeber noted a motion was necessary to approve the minutes of the February 19, 2021 Board Meeting, subject to correction by the Clerk of the Board. The necessary motion was made by Supervisor Diamond, seconded by Supervisor Magowan and carried unanimously.

Continuing to the presentation of the Employee of the Month Award, Chairwoman Seeber asked Supervisor Braymer and Ryan Moore, *County Administrator*, to come forward and accompany her to present the award. She apprised she was pleased to announce this month's Employee of the Month Award was being presented to Don Lehman, *Director of Public Affairs*, and she asked Mr. Moore if he would like to express why Mr. Lehman had been selected for this recognition. Mr. Moore informed Mr. Lehman had been indispensable to not only him, but the entire County throughout the entire pandemic, adding Mr. Lehman's employment with the County coincided with the beginning of the pandemic and since then Mr. Lehman was working twelve hour days seven days a week. He stated if they viewed the manner in which the County and its residence had responded related largely due to the level of information they had available to them, adding the County had one of the most active presence out there from a public information perspective with all of the updates provided on its social media accounts. He mentioned the County currently had the 4th highest vaccination rate within the State which related to individuals wanted to get the vaccine due to their understanding of how important it was to do so, as this was what was required in order for the County to recover from this pandemic. He added a significant amount of the County's success in responding to this pandemic related to Mr. Lehman's efforts which he would never be able to thank him enough for. A round of applause was given.

Mr. Lehman advised he had followed the lead of Mr. Moore, Ginelle Jones, *Director, Public Health*, and the other County employees who have worked so tirelessly throughout this pandemic that the public could never comprehend. He concluded by thanking them for the recognition which he did not think he was deserving of due to his lack of time being employed by the County.

Supervisor Braymer stated she had been a member of the selection team for the Employee of the Month program since its introduction and when Mr. Lehman's name came forward all of them had been excited to honor him. She added the amount of time Mr. Lehman had been employed by the County was irrelevant, as he had worked tirelessly and provided support for the entire Board and she personally was appreciative of him. She apprised she would also like to recognize Mr. Lehman's wife for developing the vaccine logo for the stickers that were being given out. Mr. Moore informed individuals may be unaware that Mr. Lehman's wife, who was a talented graphic artist, had donated her time and efforts to create the logo for the County which had played a significant part in their vaccine efforts which everyone was appreciative of. Mr. Lehman indicated his wife had observed him struggling with developing a logo and saved him by taking over these efforts which he was grateful for, as he did not believe they would have been able to use what he would have come up with. Another round of applause was given.

Chairwoman Seeber once again thanked Mr. Lehman for all of his hard work and extensive efforts he put into all of the County's social media sites, as well as the daily newsletter to get information out to the public. She stated there was nothing more important than having factual information available on a timely basis.

Proceeding to the report by the Chair of the Board, Chairwoman Seeber apprised over the last four weeks and just over sixty days into her term as Chairwoman of the Board she had continued her commitment to enhance communication with all members of the Board and with the community. She mentioned she had emailed them as a group and on an individual basis, as well as the opportunity to speak with nineteen members of the Board by phone or in person and she distributed her fifth Board member update on February 26th. She stated these updates and other notifications had provided a consistent basis highlighting everything from enhancements, remote meetings, the County's vaccination Plan, the County's partnership with New York State and Washington County. She informed she was pleased to announce as of this morning they had officially opened the New York State Mass Vaccinate site at the Aviation Mall in the Town of Queensbury which she had the opportunity to tour this morning with representatives from New York State, Sam Hall, *Chairman of the Washington County Board of Supervisors*, and Mike Bittel, *President & CEO, Adirondack Regional Chamber of Commerce*. She indicated without a doubt they recognized this vaccination center would not only impact Warren County, but also all New York State residents. She informed she continued to be impressed with the tireless efforts of the County's incredible team in Warren County, the efforts in each department and leadership provided by so many talented and dedicated individuals which repeatedly made the difference to the County residents and truly defined public service. She apprised County Government had never been more essential than it currently was and she knew she was speaking on behalf of the entire Board when she stated job well done to each and every employee in County, adding they were grateful for each and every one of them. She informed she would be filing a detailed report of meetings over the last month with the Clerk of the Board, but she would like to highlight a few of these meetings. She stated she had represented this Board on multiple Zoom and in-person meetings this month, several training sessions with conferences currently being held online with NYSAC (*New York State Association of Counties*) and NACo (*National Association of Counties*), as well as every Committee meeting in addition to Workshops, Task Force meetings and various other County functions. She advised all appointments had been made and in addition at this point in time she would like to call attention to those that were appointed to the LDC (*Local Development Corporation*), whose

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reorganizational meeting would be held later this month and she would like to recognize those who stepped up when asked to take an interest in the LDC as follows: Supervisor McDevitt, Supervisor Magowan, Supervisor Merlino, Supervisor Leggett, Supervisor Wild and Supervisor Diamond. She added they also had the addition of Travis Whitehead, *Town of Queensbury Resident*, as a community member, as they had the opportunity to review their By-Laws and confirmed it was permissible to appoint both Board and community members. She said there was a single appointment left to fill to the LDC and after determining it was permissible she was honored and excited to have Mr. Whitehead agree to be that additional member. She indicated it had also been confirmed that these two year appointments were not tied to the Supervisors elected positions which meant they could elect to continue to serve on the LDC even after their elected term was over. She advised she had also extended local emergency orders which were posted to the County website and distributed via email to the full Board. She restated she was grateful for this collaboration and dialogue with each Board member, as it was imperative to be aware of how their Committee work impacted the County and its daily operations. She voiced she was pleased to share in their goals and objectives as they each represented their municipalities on the County Board. She indicated it was in this spirit that a few members of the Board had asked her to consider amending the 2021 Standing Committee Listing, informing at this time she would like to thank those of them who had continued the hard work they had been asked to do as Committee Chairs, as well as Supervisor Leggett who had reconsidered a Chair person and was being appointed as the Chair of the Criminal Justice Committee for the remainder of the year with Supervisor Shepler serving as the Vice-Chair and she thanked them both for making that commitment. She advised she would also like to recognize the Board members who had adjusted to the Committees with fewer members and required more responsibilities, as their hard work and focus was impressive for the goals in 2021 of their respective Committees. She mentioned she would ask Amanda Allen, *Clerk of the Board*, to distribute via email a revised 2021 Standing Committee Listing later today, as some other minor revisions had to be made.

Moving along, Chairwoman Seeber stated at this point she would be requesting that each Chair of a Committee by alphabetical order of their last name provide a report on the past months meetings and activities. She remarked the key to the success of the Board of Supervisors was the hard work that each member provided to the County with their Committee work, adding judging by the results in just a few months she had observed how hard each Committee was working which she was grateful for. She advised it was a privilege to serve as the Chairwoman of the Board, adding she was looking forward to working with each and every Board member in 2021. She noted the Executive Committee did not meet this month because there were no items to go before them and she asked Supervisor Beaty to lead off on the Committee reports regarding Finance and Governmental Operations & Advocacy.

Supervisor Beaty began by reporting on the activities of the Governmental Operations & Advocacy Committee who approved proposed Resolution No. 82 which he asked William VanNess, *Commissioner of the Board of Elections (R)*, to speak to. Mr. VanNess advised the BMD (*Ballot Making Device*) machines they were replacing had no value to anyone other than another Board of Elections Office, as Dominion refused to provide the County with a trade in value on them. He said they would like to donate them to an adjoining County who had started having some of the same issues that were experienced here with these BMD machines. He informed of the twenty operable BMD machines they had, Saratoga County had asked for ten, Washington County was asking for two and Essex County requested eight of them, as well as the four machines that were inoperable to be used for parts. He stated the plan was to dispose of this equipment when they received their new machines which he did not anticipate would be in operation until November. In regard to the ADA (*American with Disabilities Act*) voting booths, Elizabeth McLaughlin, *Commissioner, Board of Elections (D)*, apprised Nassau County had first choice on all of the booths and planned on taking whatever fit in the trucks they were picking them up with and then there was a listing of a few Counties that would take any remaining booths the County would

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like to dispose of. In regard to the Finance Committee, Supervisor Beaty offered privilege of the floor to Mike Swan, *County Treasurer*, to provide a report on the County finances.

Mr. Swan advised since his Office was still in the process of closing out the books for 2020 he could not provide any concrete figures regarding where the County stood at the end of the year, but he did not believe the financial impact was as harmful as they had originally anticipated. In regard to the Federal Stimulus Package that was just signed by the President and would provide the County around \$12.5 million, he informed he had been notified yesterday these funds would be allocated to the State to provide to the County which caused him some concerns, but was something they had no control over. He mentioned this stimulus money came with a tremendous amount of restrictions regarding what the County could spend this money on, adding he had reservations that they would be able to spend all of the funds. He stated first and foremost it was necessary for them to calculate what their loss in revenue was and then they could use a portion of these funds to cover this loss and then move forward from there. Mr. Swan stated that Supervisor Wild had requested he compile information regarding other Counties occupancy tax collections over the past year; however, he noted, much like Warren County most of them would not have this information available until the end of the month due to the accounting cycle. He stated Tompkins County which was one of the Counties Supervisor Wild had requested information from collected around \$3 million a year, but they would not indicate how much of a decline they had realized and neither would Essex County, who typically collected \$2.5 million on an annual basis. He read aloud data from the following Counties: Seneca County, who collected around \$500,000 on an annual basis, but they were down around 30%; and Ontario County, who collected around \$1 million on an annual basis, but they were down around 6%.

In regard to the short-term rentals, Mr. Swan apprised they were still working on an agreement with Airbnb, informing there were thirty-five Counties in the State that had an agreement with them and the ones he had spoken to received a check from them, but had no way of clarifying whether it was an accurate amount. He stated he felt the County would be able to enter into an agreement with Airbnb, but not without a lengthy and stressful negotiating process. He added even though his staff had been overwhelmed by the amount of work required relating to collecting occupancy tax from the short-term rentals in the County he believed the County would be better off handling the work in-house.

Supervisor Beaty informed the Finance Committee had approved proposed Resolution Nos. 70-71 and 98-105 and he proceeded with providing a brief overview of each.

Supervisor Braymer advised the Personnel, Administration & Higher Education Committee had met on March 4th, approving proposed Resolution Nos. 94-97 and she provided a brief overview of each. She stated she would be requesting an amendment to proposed Resolution No. 94 at the appropriate time. She thanked Jackie Figueroa, *County Human Resources Director*, for developing the Remote Work Policy and Mr. Swan, Robert Lynch, *Deputy County Treasurer*, Mike Colvin, *Director of Information Technology* and Mr. Moore for assisting in the process. She indicated she was pleased they would now have a policy in place that allowed for flexibility, but also ensured there was accountability and consistency in how employees who worked from home were managed. Supervisor Braymer also recognized Amy Clute, *Self-Insurance Administrator*, for her efforts to develop the Warren County Public Employer Health Emergency Plan which related to the actions required by the County if another public health emergency were to occur going forward. Supervisor Braymer thanked the State officials for their assistance in getting the State mass vaccination site in the County operational at the Aviation Mall, adding she was pleased it was located in the County and was easily accessible to all of its residents. She stated she would personally like to thank Sam Parker, the State representative who worked closely with County officials on a daily basis and who assisted with advocating for a State mass vaccination site to be located within the County. She noted one of the Proclamations included in their resolution packet

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concerned Women's History Month that included a listing of women who had been involved in Warren County history which was impressive. She called attention to Diane Struble, who in 1958 was the first individual to swim the length of Lake George, as well as the many Department Heads within the County who were women, the female Committee Chairs and Chairwoman Seeber, all of whom were doing an excellent job.

Supervisor Conover stated the Public Works Committee had met on February 23rd, approving proposed Resolution Nos. 88-92. He apprised the Committee met again on March 15th to consider a lease arrangement on the Warren County Fairgrounds and he thanked Supervisors Bruno, Hogan and Geraghty for negotiating this lease. He offered privilege of the floor to Kevin Hajos, *Superintendent of Public Works*, to elaborate on the lease agreement and answer any questioned posed by the Board members.

Mr. Hajos apprised proposals had been put out at the end of last year and only one response was received in January from Glamp Adk, LLC who would like to use the County Fairgrounds for glamping on the property. He stated the proposal was for one year with the possibility of renewing it for an additional year with the approval of himself and Supervisor Geraghty to ensure no issues occurred this year. He said the agreement required them to pay slightly more than \$26,000 for the first year with a 5% increased if the agreement was renewed for an additional year.

Supervisor Diamond informed the Public Safety Committee had approved proposed Resolution Nos. 87 and 106 and he provided a brief summary of each.

Supervisor Dickinson indicated he had nothing to report on.

Supervisor Driscoll advised the Human Services Committee had met on February 22nd, approving proposed Resolution No. 86 which he provided a brief overview of. He said the next Committee meeting was scheduled for March 22nd and the Department of Social Services and Veterans' Services would be presenting requests for the Committee to consider.

Supervisor Frasier stated the Health Services Committee had met on February 22nd during which Public Health, Office for the Aging and Office of Community Services went before the Committee. She proceeded with a brief summary of the proposed Resolutions that were approved of the Committee consisting of 83-85. She acknowledged the Departments for all of their efforts, as she believed they went above and beyond and did not receive the credit they deserved.

Supervisor Geraghty informed the Tourism & Occupancy Tax Coordination Committee had met on February 22nd during which a significant amount of the discussion centered around the RFP (*Request for Proposal*) for the best practices in determining what the other regions located within and outside of New York State process was for marketing tourism. He said the RFP had been formulated and the County had signed off on it and they were awaiting word from the Hospitality & Tourism Task Force regarding any potential changes they would like made. He advised they had also discussed Americade and the Adirondack Balloon Festival being held on the same weekend in September, as well as approving the revised application for Warren County Occupancy Tax funding and was posted on the County website under the County Treasurer's page. He stated the Committee also approved proposed Resolution No. 92 which he provided a brief summary of. He mentioned the Personnel, Administration & Higher Education Committee had approved proposed Resolution No. 94 which included the creation of the Tourism Development & Events Coordinator which he was requesting support of. Supervisor Geraghty recognized Joanne Conley, *Director of Tourism*, and her staff for all of their hard work, as well as the Town Supervisors, Village of Lake George and City of Glens Falls for submitting their annual

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municipal reporting for occupancy tax. He indicated they would begin working on an auxiliary Occupancy Tax Spending Plan for 2021 in the near future.

Supervisor Hogan apprised the Economic Growth & Development Committee met on February 23rd during which the Planning & Community Development and Employment & Training Administration provided updates regarding their activities and a presentation was given by a representative of SLIC Network Solutions outlining some of the impediments relating to the broadband rollout in this region. She apprised the Economic Task Force continued to meet, adding the County was grateful to those dedicated volunteers who worked to identify issues both COVID and non-COVID related and relaying them to the Board of Supervisors, as these efforts were much appreciated. She stated the Committee approved proposed Resolution No. 80 which she provided a brief summary of.

Supervisor Magowan stated the County Facilities Committee had met on February 23rd, approving proposed Resolution Nos. 72-74 and he provided a brief summary of each. He offered privilege of the floor to Mr. Hajos to provide an update on the solar negotiations for the Airport.

Mr. Hajos advised a total of eight proposals had been received for solar land lease at the Airport and this had been narrowed down to the top three proposers. He informed he had been working with Supervisors Leggett, Wild and Strough to negotiate with these top three proposers and had asked them questions to which they had replied. He said he hoped to be able to provide more information at the March 23rd meeting of the County Facilities Committee.

Supervisor Magowan thanked Mr. Hajos for the update and voiced his appreciation of Supervisors Leggett, Wild and Strough for their efforts on the negotiating process and ensuring the County's best interests were honored. He thanked everyone involved in getting the State's mass vaccination site in the County operational at the Aviation Mall, apprising he knew many individuals who had scheduled appointments for this weekend to receive their first shot.

Supervisor Merlino reported on the February 23rd meeting of the Park Operations & Management Committee where they discussed the issues with a deteriorating retaining wall on the County's property near the Tiki Resort in Lake George which they were working on determining how to have it repaired. He mentioned now that the Governor had eased the sanctions on outdoor activities the Committee would be working with the Mayor for the Village of Lake George to determine how they could attract more bookings of events at the Festival Commons, as they had lost a significant amount of revenue from all of the events that were cancelled last year.

Chairwoman Seeber noted that Supervisor Shepler, as the former Chair of the Criminal Justice Committee would be delivering the Committee Report since Supervisor Leggett had just been appointed as the new Chair of the Committee.

Supervisor Shepler apprised the Criminal Justice Committee had approved proposed Resolution Nos. 75-79 which she requested support of.

Supervisor Smith advised Extension Services Committee had met via Zoom on February 22nd during which they learned the Cornell Cooperative Extension had a new range hood installed in their commercial kitchen of the new building. She added they were looking forward to using the facility for educational purposes for both youth and adults. She announced their annual plant sale would be held on May 21st from 8:30 a.m. until 4:00 p.m. and again on May 22nd from 9:00 a.m. until 3:00 p.m. She stated annual and perennial flowers would be available to purchase, as well as a selection of herbs and vegetables with the order forms available on their website. She informed the next meeting was

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scheduled via zoom on March 22nd and she asked Supervisor Driscoll to Chair the meeting in her absence, as she had a prior commitment and she was unsure if she would be able to attend.

Supervisor Thomas indicated he had nothing to report on regarding the Budget Committee.

Continuing to the report by the County Administrator, Mr. Moore apprised as everyone was well aware today was the first day of operation for the State's mass vaccination site at the Aviation Mall which would be open seven days a week, eleven hours a day with around five hundred doses of the vaccine given a day to start with, but they had the ability to increase this significantly from there. He added this site was currently fully booked until April 7th which was representative of the twentieth day this clinic was in operation which was demonstrative of the need in this region. He informed he provided daily updates to the Board regarding how the vaccination rate in Warren County compared to all of the other Counties in the State and currently had the fourth highest rate, with Hamilton, Essex and Clinton Counties ahead of the County. He mentioned because the results were always of the prior morning these results concerned yesterday morning and since then the County held a clinic where two hundred doses of the vaccine were administered and now they would be including all of the vaccinations given at the Aviation mall site.

Mr. Moore stated he would also like to highlight the County's partnership with Washington County and the State on getting the mass vaccination site at the Aviation Mall fully operating. He added they had also worked closely with Washington County to obtain some additional doses of the Pfizer vaccine to hold the clinic in the Town of Queensbury on Sunday, March 7th and he thanked the County staff who worked tirelessly to make this come to fruition on such short notice. He informed this event was a huge success, with 1,170 doses given in one day. He remarked he believed the County's joint advocacy efforts with Washington County were what resulted in bringing the mass vaccination site here to fruition.

Mr. Moore advised there had been significant advances of some requests the County had made to the State over the past few weeks, most notably was what he had already mentioned regarding the mass vaccination site and the vaccination clinic in the Town of Queensbury. He stated there was also the fact that the State had increased eligibility for the vaccine to those who were ages 60+ effective March 10th, as the County had been advocating for them to change the eligibility from ages 65+ to 60+. He added part of the change in eligibility was as of March 17th the eligibility was expanded to all of the essential worker population who were public facing workers which the County had also advocated for. He stated another change the State had made to the vaccination program was that those providers giving out the vaccine could vaccinate anyone who was eligible rather as of March 17th rather than only specific groups which was a positive step forward. He apprised all of these items coming together with regard to the vaccine was imperative to getting the economy reopened because the key to getting individuals to spend money and have the capacity restrictions lifted related to the County's strong vaccination percentage rate, as well as recoveries. In regard to the travel quarantines, Mr. Moore indicated it had been difficult from a time management perspective it had been difficult for not only employers to keep track of those who needed to quarantine when they returned from vacations out of State, as well as the local health departments who also had to manage contract tracing, vaccination clinics, etc. He stated this had also taken a toll on morale due to the fact that individuals could not see friends or relatives who lived out-of-State in quite some time. He advised the County had requested that New York State waive those travel requirements for individuals who were fully vaccinated, as well as for individuals who had fully recovered from the virus and the State announced on March 10th that they were doing this. He added the Medical Director for the County wrote a letter on behalf of the County to the Commissioner of Health for New York State requesting that travel quarantines that were not related to COVID-19 be eliminated altogether because the number of cases in New York State was around the same as most of the other States which the Governor and NYS DOH was agreeable effective April 1st.

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He stated this would be beneficial for Public Health, employers, hoteliers who no longer had to take this under consideration with their guests and morale all around.

In regard to gathering limits, Mr. Moore indicated this coming Monday, March 22nd the residential social gathering limit remained ten for indoors; however, he noted, it was increasing from 10 to 25 for those held outdoors. He continued, stating the current limit of 50 for non-residential gatherings would be increasing to 100 for those held indoors and 200 for ones that were outside which was a significant increase. He said as of Friday, April 2nd if testing was incorporated for everyone attending the limit for indoor gatherings was increased to 150 and 500 for outdoor ones. He informed this announcement had caused confusion regarding the State guidance for weddings and catered events, as they had been requesting clarification for a few weeks now from the State and recently received a response that he distributed to the Board for review. He apprised in summary standing cocktail were now permissible, as well as dancing at any event beginning this past Monday and on March 22nd the enhanced protocols in place for events with 50 to 150 attendees that required testing for all attendees, as well as notification for the NYS DOH would only be valid on outdoor gatherings with 200+ attendees and indoor gatherings with 150 attendees.

Mr. Moore informed yesterday afternoon he was notified by the State that arenas, such as the Cool Insuring Arena and outdoor arenas like Painted Pony Championship Rodeo, that had a capacity of 1,500 they could reopen at 10% capacity beginning April 1st and outdoor arenas with capacities of 2,500 could reopen at 20% capacity. He added this was something the County had been advocating for some time, as well as sports travel which previously only allowed teams from continuous regions which caused a significant amount of confusion. He mentioned all of these requirements would be listed as of March 29th resulting in teams located anywhere in the State being permitted to play here and teams from the County could play anywhere in the State, as well.

Mr. Moore remarked things were moving in the right direction and it was all tied to vaccinations which the County was leading with one of the highest vaccination rates within the State. He added as indicated by the County Treasurer, the County would be receiving Federal Stimulus funding for which they were awaiting guidelines regarding what these funds could be used for and was working with NYSAC, NACo and Senator Schumer in an attempt to get the County's concerns up front while these guidelines were being written by the United States Treasury. He advised there were a number of unanswered questions regarding this, but there was a plan in place on how to begin to quantify how the County could determine what it could use and they would continue to address this going forward.

Privilege of the floor was extended to Mary Elizabeth Kissane, *County Attorney*, to provide a report from the County Attorney. Ms. Kissane stated she had attended Committee meetings on February 22nd, 23rd, March 3rd, 15th and 19th, as well as the Special Board Meeting held on March 2nd. She informed she has attended a meeting between the County Administrator, Chairwoman Seeber and Kristin O'Neill, *Assistant Director, New York State Department of State Committee on Open Government*, as well as meetings with Chairwoman Seeber, Supervisor Braymer and staff from Real Property Tax Services. She apprised she had drafted numerous advisory emails, the resolutions that were before them today and a significant number of contracts, as well as provided advice to multiple department heads and Supervisors.

Continuing with the Agenda review, Chairwoman Seeber called for a reading of communications, which Mrs. Allen read, as follows:

Other:

1. Capital District Regional Off Track Betting Corp. - January 2021 surcharge payment in the amount of \$2,555.

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2. Capital District Regional Off Track Betting Corp. - 2020 Regional Benefit Distribution Installments #4 & #5, each in the amount of \$2,408.
3. Hamilton County Board of Supervisors - Resolution No. 63 of 2021 entitled "*Resolution Urging the Governor and Federal Government to Expand Broadband and Rural Cellular Coverage to all New Yorkers*".
4. Washington County Board of Supervisors - Resolution No. 27 of 2021 entitled "*Appoint Members to the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*".

Proceeding to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 70-107 were distributed to the Board and posted to the Warren County website on or before Tuesday, March 16th, which met the distribution deadline specified in the Rules of the Board. She announced proposed Resolution No. 96 was amended after mailing and had just been distributed this morning and concerned the Policy for Remote Work to include the policy and not just the arrangement. She stated a motion was required to approve the revision made to the proposed resolution; the necessary motion was made by Supervisor Magowan and seconded by Supervisor Braymer.

Supervisor Driscoll apprised as a member of the Personnel, Administration & Higher Education Committee he had approved moving the Remote Work Policy forward to the full Board for approval, as he believed this was a good tool to have. He stated he would also like to ensure it did not appear as if they were untrusting that the County employees working from home and were in fact getting their work done. He mentioned he had been working for not-for-profits for over forty years now during which too often he had to account for his time because his salary was paid using several different funding sources. He said often times he had been multi-tasking and would take some time for him to record the time he spent on each task. He opined in no way was the County targeting its employees who he considered to be the most valuable asset of the County and he recognized they were working hard regardless of whether they were working on site or from home.

Mr. Moore stated thus far he had only received positive feedback regarding the Remote Work Policy from Department Head's and was also reviewed by the CSEA (*Civil Service Employees Association*). Supervisor Braymer mentioned that some concerns were expressed regarding the fact that the policy had originally indicated personal computers at home could not be used due to security concerns expressed by the Information Technology Department; however, she noted, the policy was changed to take into consideration not all County employees had access to County equipment to use when working from home. She stated she wanted to ensure employees were aware they trusted them and the purpose of the policy was to ensure there was consistency across the board in regards to working from home. She added she believed the employees would be pleased this option would be available to them even after the pandemic was over.

Chairwoman Seeber called the question and the motion to approve the revision made to proposed Resolution No. 96 was carried unanimously.

Chairwoman Seeber proceeded with the Agenda review, continuing to the discussion and public comment on proposed Resolutions and requests for Roll Call Votes.

Supervisor Strough advised he had distributed copies of a resolution he was proposing to all of the Board members that indicated the nature of the creation of the Majority and Minority Leader positions appeared to seek division, adding this was not the appropriate time to be seeking this type of detachment. He noted George Washington, the 1st President of the United States, had proclaimed in his farewell address in 1796 that political parties may appear to answer popular ends, but over the course

of time they were likely to become potent engines by which cunning, vicious and unprincipled men would be enabled to subvert the power of the people and assert for themselves the reigns of government destroying afterwards the very engines which had lived in them to unjust dominion.

Chairwoman Seeber interjected as a point of order was that what Supervisor Strough was proposing was to Waive the Rules of the Board to present this resolution which was distributed prior to today's Board Meeting. She inquired whether Supervisor Strough would like to read the resolution because at this point in time it was just a motion to Waive the Rules of the Board. Supervisor Strough responded he had to preface what he would like to achieve with his proposed resolution because he believed it was imperative for the Board to be aware of what they were voting to Waive the Rules of the Board on. Chairwoman Seeber apprised there were two separate resolutions and at this point in time she would like to call a vote on Waiving the Rules of the Board. Supervisor Strough remarked partisan politics could cause intelligent individuals to make irresponsible decisions. Chairwoman Seeber interjected once again as a point of order as much as she was appreciative of this dialogue and looked forward to it if the motion to Waive the Rules of the Board moved forward at this point in time the appropriate parliamentary procedure was to ask if he was making a motion to Waive the Rules of the Board to discuss the resolution he was proposing and Supervisor Strough replied affirmatively. She asked if there was a second to that motion. Supervisor Strough apprised if the motion to Waive the Rules of the Board did not move forward he would not be able to discuss what he was trying to achieve. Chairwoman Seeber interposed that at this point in time there was a motion before them that was now seconded by Supervisor Wild which was specifically to discuss the motion to Waive the Rules of the Board. Supervisor Strough inquired if the motion would allow him to discuss his proposed resolution and Chairwoman Seeber responded the motion before them was to Waive the Rules of the Board to bring Supervisor Strough's proposed resolution to the floor. Supervisor Strough questioned whether he would have the opportunity to speak regarding his proposed resolution if the motion to Waive the Rules of the Board failed and Chairwoman Seeber replied she would defer to the County Administrator or the County Attorney to answer that question. Supervisor Strough informed this was why he was taking the current opportunity to discuss his proposed resolution. Chairwoman Seeber advised this was why they had a process in place to go through Committee. Supervisor Strough interjected that he still had a few more points he would like to make. Chairwoman Seeber requested that Mr. Moore clarify the parliamentary process moving forward.

Mr. Moore indicated they were currently discussing the motion that was on the floor concerning Waiving the Rules of the Board to consider the resolution that was being proposed by Supervisor Strough. Supervisor Strough remarked this was why he was attempting to explain his proposed resolution. Chairwoman Seeber interjected there was a copy of the proposed resolution on each of their desks. Supervisor Strough interjected it was necessary for him to explain the background regarding his proposed resolution, adding Supervisor Conover had recently stated it was necessary for the Board to come together to solve these problems and find solutions and proposed Resolution No. 81, *Warren County Board of Supervisors Resolution on Bridging Divisions and Working Together*, was complimentary of what he was trying to achieve, but was not mentioned. Supervisor Seeber apprised at this point in time she was asking if there was any objection from the Board to allow him to continue to discuss his proposed resolution to which there were none.

Supervisor Strough explained the purpose of his proposed resolution was nothing personal nor did it concern personalities, but rather involved these two positions and what they tended to do which was to cause and suggest that there was division. He indicated one of the reasons he had enjoyed working on this Board for over seven years now was because of the unity. He mentioned other than appointing a Chair of the Board none of them had ever discussed politics or partisan differences, apprising when they looked at the issues they did so together. He stated it was necessary for them to continue to look

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at the issues as one unit with no division, adding he would take the position that Democrat or Republican had no place within the Warren County Board of Supervisors. He informed what he was advocating for was for the Majority and Minority Leader positions to be eliminated.

Chairwoman Seeber inquired whether Supervisor Strough would like to discuss anything concerning the motion to Waive the Rules of the Board and he replied he was hopeful the Board would vote in favor of moving forward with Waiving the Rules of the Board to allow them to entertain his proposed resolution.

Prior to allowing Supervisor Wild to comment, Chairwoman Seeber reminded the Board members their remarks should only concern the motion to Waive the Rules of the Board. Supervisor Wild commented he was concerned when the Board did not permit individuals to express their opinions and used the Rules of the Board to prevent them from expressing their opinions that may differ from others. Chairwoman Seeber called for point of order, informing they had permitted great latitude in this discussion morning and there was a motion to Waive the Rule of the Board. She said in regard to Supervisor Wild's remarks they had allowed and authorized without objection Supervisor Strough to discuss why his proposed resolution was imperative, adding she would like to afford this same courtesy to Supervisor Wild. Supervisor Wild asked if he could comment regarding Supervisor Strough's proposed resolution and Chairwoman Seeber questioned whether there was any objections to affording Supervisor Wild this opportunity. Supervisor Hogan responded she would like for them to vote on whether they would like to Waive the Rules of the Board to bring Supervisor Strough's objections to the floor and then hold discussion if it was approved, as this was the proper procedure.

Chairwoman Seeber announced the motion to Waive the Rules of the Board required a two thirds majority vote in favor in order to bring Supervisor Strough proposed resolution to the floor for discussion and she requested a roll call vote on the motion.

Following a roll call vote it was determined the motion to Waive the Rules of the Board relating to the requirement that resolution be provided to the Board of Supervisors on the Tuesday prior to a regular Board Meeting in order to entertain a resolution eliminating the Majority and Minority Leader positions failed due to obtaining the lack of two thirds majority vote required with 603 voting in favor (*Supervisors Smith, Dickinson, Merlino, Strough, Wild, Thomas, Shepler, Geraghty, Conover, Leggett, McDevitt, Bruno and Driscoll*), and 244 against (*Supervisors Hogan, Magowan, Diamond and Seeber*) and 11 absent (*Supervisor Frasier*) and 142 abstaining (*Supervisors Beaty and Braymer*).

Supervisor Braymer requested discussion on proposed resolution Nos. 75, *Amending and Extending Agreement with a Supervising Attorney for the Assigned Counsel Office, to Remove the Not to Exceed Amount, Add Language Regarding Cell Phone Costs and Extend the Terms*, and 94, *Amending Tables of Organization and Warren County Salary and Compensation Plan for 2021*. In regard to proposed Resolution No. 75, Supervisor Braymer inquired whether removing the not to exceed amount did not mean they could surpass the amount of the grant funding awarded and Mr. Moore replied the amount of the contract was subject to the total sum of the grant funding awarded. Moving on to proposed Resolution No. 94, Supervisor Braymer apprised with the consent of Supervisor Geraghty, who was the Chair of the Tourism & Occupancy Tax Coordination Committee, she would like to amend this resolution to delete the position that was vacant and the funds were being used to cover a portion of the Tourism Development & Events Coordinator position. Supervisor Geraghty stated his preference would be to approve what the Tourism & Occupancy Tax and Personnel, Administration & Higher Education Committee had approved which was to create the position, but leave the other position in the County Budget unfunded. He added he would be comfortable eliminating the position at a future date; however, he noted, he did not feel it was appropriate to do so at the Board Meeting without having

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the rest of the Committee members involved in the discussion. Supervisor Braymer apprised she was agreeable to Supervisor Geraghty's suggestion that this be discussed at a meeting of the Tourism & Occupancy Tax Coordination Committee. Supervisor Geraghty stated this was not included on this month's agenda, but they could discuss it at a future Committee meeting.

In regard to the motion to delete the Majority and Minority Leader positions that just failed, Supervisor Merlino noted Supervisor Frasier had stepped out of the room during the vote and he inquired whether her vote in the affirmative would have changed the outcome of the motion. Mr. Moore responded there would have been no change in the outcome because Supervisor Frasier's affirmative would have accounted for eleven weighted votes.

In Regard to Proposed Resolution No. 81, *Warren County Board of Supervisors Resolution on Bridging Divisions and Working Together*, Supervisor Hogan stated she had often heard the phrase "Do not let perfect be the enemy of good", which she had never really approved of it; however, she noted, this was why she would be voting in favor of this resolution today. She said in theory she was agreeable to everything stated in the resolution, adding she believed it provided a respectable impression. She advised it was indicated to her that this was an appropriate beginning; however, she noted, she felt it was embarrassing for them to admit they had only just begin working on this, as there were many who lived in the region who lived their lives far past the starting line. She indicated the time should have been taken to gather their input and learn from their experiences. She informed she was only aware of one town having addressed this resolution and she wanted to give credit to Supervisor Frasier and the Town of Hague. She noted her concern that there was no substantive action included in this resolution and she asked whether the County would be reviewing its hiring practices and policy language for unconscious bias; examining departments for systemic issues; would the Supervisors be calling each other out for micro aggressions; and would training be provided on more thoughtful use of language. She indicated for some reason they could not take the time to draft this resolution better and create something that was really inclusive and active in promoting diversity, honest and respectful dialogue and committed to progress; however, she restated, she would be voting in favor of the proposed resolution. She added she would be taking the responsibilities attached to her vote seriously which she hoped all of them would, as well.

Supervisor Strough indicated proposed Resolution No. 81, *Warren County Board of Supervisors Resolution on Bridging Divisions and Working Together*, was brought forward by the ANCA (*Adirondack North Country Association*), who were a not-for-profit who was active in promoting economic development in the Adirondacks. He stated their goal was to build more dynamic local economies in the northern region, adding although he believed this was an appropriate resolution he concurred with the points made by Supervisor Hogan, as well.

Chairwoman Seeber asked Mr. Lehman if any public comments had been received regarding the resolutions before them today and Mr. Lehman replied a comment had been received from Christianne Strough, *Town of Queensbury Resident*, regarding the resolution that had been proposed by Supervisor Strough. He apprised Ms. Strough indicated monies saved by cutting stipends should be just that, saved and not put back into the pockets of the newly created, highly controversial Majority and Minority Leader positions. He apprised she stated no law in New York State mandated politically oriented caucuses and she was strongly supportive of the resolution dissolving the Majority and Minority Leader positions. He advised she indicated should the resolution fail to garner the necessary two thirds majority vote they should kindly consider the following: In high school the Principle appointed the school officers; Governor Cuomo appoints the New York State Majority and Minority Leaders in both Legislative Chambers; and President Biden appointed his cabinet. He apprised Ms. Strough advised if anyone had answered no to all of these statements they would be correct, as the fact was that high

school classmates chose their officers and not the principle, the rank and file from both legislative bodies chooses their Majority and Minority Leaders and not the Governor and the President nominated candidates for his cabinet, the Senate went through a vetting and confirmation process for each cabinet member appointed and if a candidate did not have the required number of votes then their appointment failed. He stated she indicated it was that simple and how things operated in a democracy and she questioned why in Warren County was it acceptable that Chairperson Seeber choose the Majority and Minority Leaders. He apprised Ms. Strough was urging all Warren County Supervisors to end this government overreach and demand that they and not the Chairperson select their Majority and Minority Leaders. Mr. Lehman concluded by stating he was unsure of this was a resolution that Ms. Strough was commenting on. Chairwoman Seeber advised it was not a resolution, but she would like to thank Ms. Strough for her comments and she asked if any other public comments had been made.

Mr. Lehman stated he had received a comment from Diane Collins, *representing the Zero Waste Planning Committee*, but he did not believe that pertained to any resolutions before the Board today. Supervisor Braymer advised if there was no objection she would request that Ms. Collins comment be read into the record. Chairwoman Seeber noted there was another opportunity for public comment before the meeting was adjourned and she asked Supervisor Braymer if that was acceptable and Supervisor Braymer replied affirmatively.

Chairwoman Seeber inquired whether there were any requests for roll call votes, but no requests were made.

Chairwoman Seeber called for a vote on resolutions, following which Resolution Nos. 70-107 were approved as presented.

Chairwoman Seeber apprised at this point in time she would like to offer privilege of the floor first to the Board members and then to the public and she asked if there were any Board members who would like to comment on any matter.

Supervisor Conover stated as everyone was already aware he was a real stickler when it came to the Rules of the Board and the matters involving these should go directly to the Board for consideration. He said he believed most, if not all of the Supervisors, had participated in the discussions relative to Robert's Rules of Order and voting at Committee meetings and were wondering why he was being so insistent on what might be considered by some a small matter relative to that; however, he noted, this matter was more significant then just the specific item because it related to the Rules of the Board. He apprised his position was regardless of their opinions on an issue when it related to the Rules of the Board he believed it should be brought before the Board for their consideration and no Committee despite how many members they consisted of should be denying the movement of a matter that related to the Rules of the Board. He indicated assuming Supervisor Frasier had voted in favor of the motion to Waive the Rules of the Board relating to the requirement that a resolution be provided to the Board of Supervisors on the Tuesday prior to a regular Board Meeting in order to entertain a resolution eliminating the Majority and Minority Leader positions would have resulted in thirteen individuals voting in favor, four voting in opposition and two Supervisors who abstained and yet the motion failed properly so based on the Board's weighted votes because the two thirds majority vote requirement existed to protect the minority and/or smaller group. He remarked when considering a vote like that the message to every member of the Board was that there were some real concerns and divisions within the Board relative to some matters and he was hopeful that they could determine how they could all come together going forward. He remarked he believed it was telling when thirteen out of eighteen Supervisors voted for something regardless of whether it was in favor or not that there was division amongst them and he felt they should heed that warning.

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In regard to the Rules of the Board and the number of individuals voting versus the weighted vote system, Supervisor Braymer stated she believed this demonstrated the need to move away from a Board of Supervisors that had individuals whose weighted vote was eleven and others whose vote totaled eighty-five. She indicated they needed to be considering a Legislative Board where every members vote totaled the same with equal representation across the County. She added she would be continuing to advocate for a change to a Legislative Board where they would no longer use this unreasonable weighted vote system.

Supervisor Leggett expressed his gratitude to the Sheriff Lafarr, Undersheriff Comeau and their staff for putting together the Warren County Police Reform and Reinvention Plan that was approved today, as it required a significant amount of effort on their part and they deserved to be recognized for their efforts.

Chairwoman Seeber apprised although this was non-traditional now that they had been provided with such a great training on the Rules of the Board she would like to step down as Chair and appoint Supervisor Diamond to Chair the meeting in her place to allow her to debate an issue. Supervisor Wild inquired whether this was typically handled without anyone objecting to it and Chairwoman Seeber replied in the negative.

Supervisor Diamond assumed Chairing the meeting at 11:36 a.m. and stated for the record that he did not have any ambitions to serve as the Chairman of the Board, as he was aware of how hard Chairwoman Seeber and Supervisors Thomas, Conover and Geraghty worked in the position which he was appreciative of. He indicated he had supported each of them having the opportunity to deliver the message they wanted to carry during their tenures as Chair of the Board and he proceeded to offer privilege of the floor to Chairwoman Seeber.

Chairwoman Seeber remarked as Chair she needed to step down if she would like to debate any issues and during privilege of the floor they all had that opportunity to speak. She mentioned today what they had heard some Supervisors state was the importance of protecting the minority which she took seriously, as she believed they were a community that displayed a diverse population in both the County electorate and its residents. She advised it was their job as Supervisors to ensure they represented everyone and protecting the minority was exactly why the legislation was there. She added it was not required, but rather was an option that was tied with compensation. She stated they had discussed this every month at great length since the beginning of the Board Meetings because for years they had the position of Vice-Chair of the Board that did not go through the proposition process, placed on a ballot and allowed the voters to have the opportunity to weigh in on paying additional compensation. She indicated when she was appointed the Chairwoman of the Board the majority of the Board voted in favor of the Majority and Minority Leader positions which she was appreciative of, noting leading up to and at that point in time, following the vote and before the Rules of the Board were adopted discussions had taken place and these positions were approved not once, but rather twice. She said there was a process in place and these positions had been discussed at several Committee meetings and they continued to discuss them. She said in the spirit of protecting the minority which was their responsibility, as well they had these opportunities and options available to them to ensure they were in accordance with the law. She voiced her appreciation that the Board members wanted to follow procedures and the law, adding if they so chose not to be compensated for their positions as Supervisors she would like them to consider that they should volunteer and set their salaries at \$1 and remove the stipend for Chair; she noted they all worked tirelessly in their positions. She indicated she concurred with Supervisor Conover that protecting the minority was imperative and she would like to remind the majority members on this Board that they were close in terms of their Republican, Democrat and Independent representations and throughout this entire procedure all of

them had been engaged in dialogue, phone calls, meetings to the extent that they would take them and discuss this with her. She pointed out the Supervisors represented their community and its constituents and she hoped they were encouraging one another to do that respectfully. She added although Supervisor Conover had been a member of the Board for a longer term than her she was not aware of their ever being an outcome similar to the vote that had just occurred regarding the Waiving of the Rules of the Board to bring Supervisor Strough's proposed resolution to the floor for consideration. She remarked she would appreciate in the spirit of what they represented which was every resident in the County that they moved forward and worked together. She apprised she had always been supportive of a legislative body, but that was not before them today; however, she noted, equal representation was something they should all be considering. As it related to the Rules of the Board, she indicated she had gone before them several times since she was appointed as Chairwoman of the Board on January 8th and asked both patiently and respectfully that they all participate and receive training from Mrs. Allen, Ms. Kissane and Mr. Moore. She informed they had an opportunity next month when they met with their NACo Parliamentarian at a Board Workshop meeting to assist all of them with becoming more familiar with Robert's Rules of Order and the Rules of the Board which historically had several changes made each year when they adopted them at their annual Organization Meetings at the beginning of the year, as well as through resolutions throughout the year. She mentioned Supervisor Beaty had agreed to include discussion regarding the Rules of the Board as a standing agenda item for the Governmental Operations & Advocacy Committee to allow them to determine what changes and/or updates were required. She said historically they continued to see issues that they needed to continue to update; she added she was not being critical and was just pointing out that as time went on items needed to be updated and the Board had updated the representation that they had. She advised she concurred that they should be protecting the minority. She stated she wanted to take this opportunity to notify them that she had repeatedly requested a chance to lead this Board and she was hopeful that they would all find a way to do just that. She thanked them for the opportunity for allowing her to do just that and she recognized Supervisor Diamond for agreeing to Chair the meeting to provide her with the chance to make some comments during the privilege of the floor.

Chairwoman Seeber resumed the Chait at 11:44 a.m.

Resuming the Agenda review, Chairwoman Seeber offered privilege of the floor to any Board members wishing to comment on any matter.

Supervisor Magowan thanked Supervisor Seeber for her comments, adding he believed she was well spoken. He remarked he believed the communication amongst the Board members had increased immensely to the point where he felt it was an honor to work with all of them and he equated this to the changes that had been made this year because in the previous years when he was Board member he did not have this interconnection with everyone. He said he believed the system in place was working in the right manner that it should be and he respectfully requested that they stop bringing the elimination of the Majority and Minority Leaders positions forward every month and support these positions going forward. He noted he believed the unity on this Board was greater than it had ever been and he would like it to continue on in this manner.

Supervisor Beaty stated he had been a proponent for a legislative form of government for years, adding most Counties within New York State used this format for County government. He explained the legislative form of County government consisted of the population being divided equally among a specific amount of Supervisors which meant Supervisor Magowan whose weighted vote equaled eighty-five would instead have the same amount of votes as Supervisor Frasier, whose weighted vote currently equaled eleven votes. He added this would also result in a significant savings for the County because the twenty salaries that were currently paid would be reduced to nine. He opined the legislative form

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of government would be one of the main issues that was discussed at the Governmental Operations & Advocacy Committee meetings because the reality was equal representation and saving money was essential and was why most of the Counties within the State were Legislative Board's.

Supervisor Wild apprised he would not discuss the difference between a County Legislative Board and a Board of Supervisors even though he would like to make a significant number of comments on this; however, he noted, he would like to discuss the issue of dissent. He stated during his three year tenure as a Board member when an issue of dissent had been discussed it had always been accepted that there was opposition and it was discussed. He mentioned he valued losing arguments as a result of someone having a better case than he did, as well as different experiences. He indicated the ability to have these discussions was imperative to this Board which he believed they would all be agreeable to. He said when they began discussion regarding the topic of the Majority and Minority Leaders it was not the result of an attack on the Board's leadership, but rather about one issue alone in his mind. He stated when he reflected upon all of the discussions that have occurred he became confused about their priorities, as there had been a substantial number of discussions with a strong focus regarding the Rules of the Board and the law which needed to be followed. He informed he was not present to state that they should do anything differently, adding he concurred with Supervisor Conover that any discussion regarding the Rules of the Board should go before the full Board. He advised he believed it was appropriate that they were focused on these items; however, he noted, to him the matter they were discussing was inconsistency with that priority. He stated what they had been told was that New York State did not permit Supervisors to be paid an additional stipend unless they held certain positions, such as the Chair of the Board, Budget Officer and some other positions, but he was unsure of the specifics. He said Chairwoman Seeber has notified them they had been illegally paying the Vice-Chair of the Board a stipend for several years following which another State law was located that could be manipulated to allow them to break the law which he took issue with and when they wanted to debate this they could not because there were a few Supervisors that blocked this discussion. He remarked he thought this was a worthwhile discussion and anytime this matter came up again he fully intended to participate in the discussion. He noted this was not an attack on Chairwoman Seeber's leadership or her position, but rather this one issue.

Chairwoman Seeber thanked Supervisor Wild for his support which she was appreciative of.

Supervisor McDevitt remarked what troubled him was the full Board other than a rushed vote in January had vaguely discussed the issues with the Majority and Minority Leader positions. He said over the last few months they had the opportunity to come to a semi-educated opinion as it related to that; however, he noted, he opined their actions today were very anti-democratic because this Board should enable the Supervisors who represented the citizens of this County to specifically vote on the issue involved. He stated that issue was whether the elected officials of Warren County were supportive of the Majority and Minority Leader positions, but they had not been given this opportunity which he believed was anti-democratic. He informed they voted whether or not to Waive the Rules of the Board to prevent the issue from going before the full Board to enable them to talk, debate and vote on the matter. He indicated he did not believe they had a public record as a legislative body on this issue and unless the issue was voted on by the full Board it would keep coming up resulting in more drama.

Supervisor Diamond exited the meeting at 11:56 a.m.

Supervisor Strough informed he took consolation to the fact that the majority of the Supervisors on the Board were aware of the issue with the Majority and Minority Leader positions. He said setting this aside for now to discuss the Legislative Board form of County Government which had previously been discussed at great length. He mentioned the Town of Queensbury would likely benefit from this form

of County Government because it was probable they would have their own legislator to represent their Town; however, he noted, due to the population requirement the smaller towns located in the northern portion of the County, such as the Towns of Johnsbury, Thurman, Bolton and Horicon would have to be tied together under one legislator. He said this meant they would no longer have an individual voice as they currently did with a Supervisor who lived in and was well aware of the needs of their town, as this would be replaced with a legislator who resided in one of their towns. In regard to the comment that a County Legislative Board would save the County taxpayers money, Supervisor Strough indicated there were some County's who had County Legislators earning salaries in the \$90,000 range and had their own offices and staff and was rather costly. He mentioned Steven J. Acquario, Esq., *Executive Director, NYSAC*, had attended a prior Board Meeting and did a presentation regarding the difference between the Board of Supervisors and Legislative Board forms of Government in New York State during which he indicated Warren County had a sound government in place that allowed it to manage its budget properly and had a strong tourism industry which he equated to its employees and the actions of the Board that represented each community separately. He apprised while they may have differing opinions upon occasion they did share ideas which were not based off of partisan politics.

Supervisor Driscoll advised he had just finished up campaigning and acquiring the number of signatures required for the petition to place his name on the ballot; however, he noted, as a result of the pandemic he was not able to obtain the number of signatures he typically did. He said while he was campaigning in the 5th Ward of the City of Glens Falls he spoke regarding the pandemic, the County's economy and small businesses, noting he took his "marching orders" from these residents who elected him to represent them. He apprised while he respected all of his colleagues in this Board engaging in conversations, discussions and debates his concern was with the opinions of those he represented which was why he voted in favor of Waiving the Rules of the Board to allow Supervisor Strough's proposed resolution to go before them for discussion.

Supervisor Braymer informed she hoped the Board was supportive of Chairwoman Seeber, who was working tirelessly and communicating with all of them on a regular basis in an attempt to do the best job she could for the County and more specifically on dealing with their most pressing issue right now which was the pandemic and obtaining enough of a supply for County residents to get vaccinated. She stated while she understood Supervisor Wild's point that this was not personal it was difficult for her to separate that which is why she recused herself from that vote. She noted she was a Democrat on a Board of Supervisors whom the majority of the members were Republicans which made it difficult at times for her to get the Democrats position across. She said on many occasions she was the sole dissent or a few of the members of the Board who were Democrats dissented at which time she did not believe their voices were heard and was why she felt the Minority Leader position was important; however she noted, she would continue to do her work to the best of her ability as a Supervisor representing the City of Glens Falls regardless of whether she had a title or received additional compensation as Minority Leader. She pointed out to Supervisor McDevitt the Board had voted on the Minority and Majority Leader positions and in fact he had requested to change his vote on that, as well as many debates having taken place regarding same. She noted she understood Supervisor McDevitt's point that if this was going to continue to be an issue then this matter would keep being brought before them every month, but as an elected official they had the ability to keep bringing the matter forward. In regard to the comment that changing to a Legislative Board would result in them losing the ability to have their Town Supervisor represent them on the County Board, Supervisor Braymer apprised the Mayor for the City of Glens Falls was not a member of the Board. She stated she believed the City of Glens Falls could represent itself with those it currently had representing them and she found it to be disingenuous for individuals to indicate they must have the Town Supervisors as members of the Board when the Mayor was not a sitting member of their Board. She remarked when it involved representing the County as a whole she believed they should have County Legislators who were actively dealing with County issues,

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adding no where did it state that they had to be paid a salary of \$90,000. She mentioned individuals would serve because they had a desire to be a good public servant and were present to do their civic duty.

Supervisor Conover apprised his original point was a substantial amount of energy was put into this issue at Committee to prevent this question from going before the Board. He noted this was not a rule made by the Chairwoman of the Board and was not related in anyway to that position or its title. He indicated the Rules of the Board were what governed them and the executive power did not lay with the Chair of the Board, as this and the lawmaking authority was the responsibility of the Board. He informed a substantial number of the members of the Board felt that something they approved should be changed, but there was an enormous amount of effort from a small group of individuals who disagreed with this which was their right to do and he would not want this privilege to be taken away from them; however, he noted, questions regarding the Rules of the Board should go before them and exercise a vote. He added he would like to clarify that this matter never went before a Committee before it was initially presented to the Board, as the Rules of the Board were tabled at the January 8th Organization Meeting and then they were brought before the Board at the January 15th Board Meeting with the changes that had been made. In regard to a Legislative Board form of County Government, Supervisor Conover advised there were some who would view the towns located in the northern portion of the County as the “cash cow” for the entire County, adding he was the only member of this Board who had served as a member of a Legislative Board and on a Board of Supervisors. He indicated as a result of this Board and the ones prior the County had one of the lowest tax rates and debt services and one of the highest qualities of life anywhere in New York State and more specifically when compared against Legislative Board forms of County government. He remarked Warren County’s current form of government as a Board of Supervisors worked well, noting it had been an honor for him to serve on the Board with all of them and those that would like to change it had the right to propose doing so, but he believed there were bigger questions regarding that proposal that the Supervisors from the outlining towns would have to deal with. He restated the any changes to the Ruled of the Board should go before the Board, informing this issue went to Committee and was prevented from moving forward for the Board to discuss by two votes in opposition which they had the right to do. He noted his question pertained to the application of that authority in terms of denying the Board their right to vote on their Rules and why he was being so tenacious on the other matters because it involved the Rules of the Board he would be defensive. He advised he was in no way trying to dictate in which manner individuals should, but rather he was attempting to maintain the process, as it was inappropriate to undermine the process.

Supervisor Thomas indicated what had started out as an avenue to use to do the right thing and adhere to the law with the creation of the Minority and Majority Leader positions which were stipend positions. He stated he could be wrong, but he believed through Municipal Home Rule Law that if it was the desire of the Board to pay a stipend to Chair of the Finance Committee, who was also the Vice-Chair of the Board, the Chair of the Personnel, Administration & Higher Education Committee or any other Committee a Local Law could be introduced through the Municipal Home Rule Law to permit the Board to do so legally. He said this may be subject to a referendum and the County residents could circulate a petition and place it on the ballot to be voted on, adding he believed they were taking one matter and turning it into a discussion over changing the entire form of the County Government which was a separate matter.

Supervisor Leggett exited the meeting at 12:08 p.m.

Mr. Moore apprised the second part of County Law Section 200 outlined the process required to pay an additional stipend to Supervisors for work they did on Committees which involved the County

voters and the first part of the law indicted all Supervisors were to be paid the same salary unless they were serving as the Chair of the Board, the Majority Leader and the Minority Leader. Supervisor Thomas interjected his understanding was the point of Municipal Home Rule Law was to establish the local government in the form the Board would like it to be in and there was no requirement that required them to follow every State Law, as they could construct their own government in regard to who received additional compensation and who did not.

Chairwoman Seeber asked Ms. Kissane if she would like to comment on Municipal Home Rule Law and Ms. Kissane replied in the negative, stating was uncomfortable commenting without doing further research. Chairwoman Seeber apprised Supervisor Thomas was bringing up a good point and she suggested further research be done by the County Attorney and report on it at a future Committee meeting.

Chairwoman Seeber voiced her appreciation of the spirited discussion, adding she was looking forward to working with everyone and continuing to have this type of dialogue, as this was exactly as Supervisor McDevitt intends for democracy. She apprised at this point in time she would offer privilege of the floor to the public following which there was a pending litigation that was important to all of them and would require an executive session to discuss. She asked Mr. Lehman if any public comments had been received and he replied affirmatively, informing M.B. Mylott had submitted a comment through Youtube inquiring whether the County had a preliminary plan as to how the \$12.5 million they were going to receive from the Federal Stimulus Bill. Chairwoman Seeber replied Mr. Moore had briefly referenced this earlier in the meeting and she asked him to reiterate his comments. Mr. Moore stated he needed to check and see if any updates had been made to the amount of money the County would receive; however, he noted, the expenses that were permitted consisted of the following: replacing revenue that was lost as a result of the pandemic, such as occupancy tax revenue that as low because the season was off or the sales tax revenue that was lost; expenses that were related to COVID-19 could be reimbursed; investing in infrastructure involving water, sewer and broadband; and be reimbursed for offering premium pay, such as the Counties who elected to pay hazard pay to their public safety and public health employees. He informed he was awaiting guidance from the United States Treasury regarding these expenses because it was laid out loosely in the legislation and indicated they had the authority to promulgate what expenses qualified and what did not in these categories for this funding. He stated he planned to work with the County Treasurer on determining the loss of revenue and on reimbursement of COVID-19 related expenses and then compare this to the guidance that was provided to ensure that they were qualified expenses. He advised these expenses would take up a portion of the County's \$12.5 million allocation and then they would determine how the remaining funds could be applied, adding he believed a stakeholder group would be formed to evaluate those options.

Mr. Lehman apprised there was also a comment from Gina Mintzer, *Executive Director, Lake George Regional Chamber of Commerce & CVB*, who indicated how everyone was appreciative of the updated information guidance provided by Mr. Moore on gatherings that was distributed this week. He advised there was also a comment from Diane Collins, *representing the Zero Waste Planning Committee*, who informed she needed to make two announcements of interest, the first of which pertained to a Bill making its way through the Legislature referred to as "The Extended Producer Responsibility Act" Senate Bill S7718 and Assembly Bill A1109790, which shifted the burden of recycling from municipalities to private companies and required producers of recyclable goods packaging waste to arrange for the recycling of their own products. He informed she added this Bill was worth looking into and supporting, as the enormous amount of packaging weight in New York State effects the County's carbon footprint and its municipal budgets. He indicated next, she stated the second announcement would be of interest to all the County municipalities as the potential of creating jobs and reducing municipal solid waste costs by not throwing away repairable and reasonable items and materials was

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considered. He advised she then informed the Zero Waste Movement had been sweeping the Country and opening doors to entrepreneurs transforming the throw away economy. He stated Ms. Collins encouraged them to join the free Zoom webinar entitled "Creating New Jobs and Enterprises Through Zero Waste" on Wednesday, April 7, 2021 from 2:00 p.m. until 3:30 p.m. He said Ms. Collins apprised the speakers at this webinar would be four of the Countries most respected leaders in the field of reuse and repair, as local economic growth and new jobs were of interest to all of the Supervisors and she would send each of them a follow up email on this event. Mr. Lehman informed he had also received an email from an individual identifying themselves as June Maxam where she stated in regard to the vote on Waiving the Rules of the Board pertaining to the Town of Queensbury Supervisor Strough's attempt to bring to the floor a resolution to eliminate the Majority and Minority Leaders, Four Supervisors voting in the opposition, Supervisors Hogan, Magowan, Diamond and Seeber, overriding sixteen others. He apprised she voiced how this was wrong, as the resolution should have been permitted to go before the full Board; however, she noted, Chairwoman Seeber had steadfastly blocked this measure. He apprised Ms. Maxam indicated Chairwoman Seeber should not have voted because it was obvious she had a prohibitive conflict. He stated Ms. Maxam continued, informing that Supervisors Braymer and Beaty recused themselves the required number of votes should not have been 667, as the 225 votes controlled by Chairwoman Seeber and Supervisors Beaty and Braymer should have been removed from the two thirds majority vote required reducing it to 447, adding the 603 votes is received should have taken it to the floor. He said Ms. Maxam concluded her comments by stating this was not democracy, but rather a Seeber dictatorship.

Chairwoman Seeber announced an executive session was required to discuss the case of Laney Morgan v. Warren County.

Motion was made by Mr. Magowan, seconded by Mr. Bruno and carried unanimously to enter into an executive session pursuant to Section 105 (1) (d) of the Public Officer's Law.

Executive session was held from 12:17 p.m. until 1:09 p.m.

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

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Shepler and seconded by Supervisor Bruno, Chairwoman Seeber adjourned the Board Meeting at 1:10 p.m.