

Warren County Board of Supervisors

**AGENDA
THURSDAY, APRIL 1, 2021
SPECIAL BOARD MEETING**



9:30 a.m. Call Meeting to Order

Pledge of Allegiance - Supervisor Conover

Roll Call

Reading of Resolutions

Discussion and Public Comment on Proposed Resolutions

Requests for Roll Call Votes

Vote on Resolutions

Privilege of the Floor

Announcements

Motion to Adjourn

Warren County Board of Supervisors

APRIL 1, 2021
SPECIAL BOARD MEETING
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| <u>RES. NO.</u> | <u>VOTE</u> | <u>DESCRIPTION</u> |
|------------------------|--------------------|---|
| 108 | | SUPERVISORS MAGOWAN AND WILD - WAIVING THE RULES OF THE BOARD REQUIRING THAT RESOLUTIONS BE PROVIDED TO THE MEMBERS OF THE BOARD OF SUPERVISORS THREE DAYS PRIOR TO A SPECIAL BOARD MEETING IN ORDER TO ENTERTAIN RESOLUTION NOS. 109, 110 AND 111 OF 2021 |
| 109 | | COUNTY FACILITIES (<i>AIRPORT</i>) - INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2021, ENTITLED “DISPENSING WITH THE REQUIREMENTS UNDER NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 352 AND AUTHORIZING A LEASE OF AIRPORT REAL PROPERTY”, AND AUTHORIZING PUBLIC HEARING THEREON |
| 110 | | COUNTY FACILITIES (<i>AIRPORT</i>) - AUTHORIZING PUBLIC HEARING REGARDING A SOLAR LAND LEASE AT THE WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT |
| 111 | | ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING</i>)- AUTHORIZING A PUBLIC HEARING AS REQUIRED BY THE NEW YORK STATE HOUSING TRUST FUND CORPORATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AVAILABLE THROUGH THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT |

*RESOLUTION NOS. 108-111 WERE DISTRIBUTED
TO THE BOARD OF SUPERVISORS ON MARCH 30, 2021*

Warren County Board of Supervisors

**SPECIAL BOARD MEETING
THURSDAY APRIL 1, 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 April 1, 2021 AT 9:30 A.M., for the purpose of:

1. Considering a resolution to set a public hearing for a CARES Act grant submission; and
2. Considering a resolution to set a public hearing for a land lease at the Warren County Airport for solar power.

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: March 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 9:49 a.m.

*WARREN COUNTY BOARD OF SUPERVISORS
SPECIAL BOARD MEETING
THURSDAY, APRIL 1, 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, Frasier, Smith, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber-19 Absent -1 Supervisor Hogan.

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

Commencing the agenda review with the reading of resolutions, Amanda Allen, *Clerk of the Board*, announced Resolution Nos. 109-111 were distributed to the Board and posted to the Warren County website on Tuesday, March 30th which did not meet the deadline specified in the Rules of the Board requiring that resolutions be distributed three days prior to a Special Board Meeting and a motion was necessary to bring proposed Resolution Nos. 109-111 to the floor. The necessary motion was made by Supervisor Magowan, seconded by Supervisor Wild and carried unanimously. Mrs. Allen advised the Waiving of the Rules resolution would now be referred to as Resolution No. 108.

Ms. Hogan entered the meeting at 9:55 a.m.

Proceeding to the Privilege of the Floor portion of the agenda, Chairwoman Seeber asked if any members of the Board would like to comment on any of the resolutions before them, but there was no response. She then asked Don Lehman, *Director of Public Affairs*, if any public comments had been received and Mr. Lehman responded due to technical difficulties the YouTube live session was not working and the Information Technology staff were working on fixing it. Chairwoman Seeber inquired if there were any requests for roll call votes, but there were none.

Supervisor Braymer called for point of order, apprising she did not believe they could proceed with the meeting until the Youtube live was available for the purpose of public participation, but she was unfamiliar with all of the requirements included within Governor Cuomo's Executive Order permitting local governments to hold meetings remotely. Ryan Moore, *County Administrator*, apprised he believed the Governor's Executive Order allowed for meetings to be recorded and then posted online after they had taken place; however, he noted, because the County had been holding live virtual meetings since the beginning of the pandemic he would suggest they stick to best practices and continue holding the meetings within the live format. Chairwoman Seeber suggested they use the Facebook live option to stream the meeting, but Mr. Lehman pointed out the public would not be aware it was available to watch there instead of on Youtube. Chairwoman Seeber reminded the Board members who were attending the meeting remotely that their microphones were on.

Mr. Lehman announced the meeting was now live on Youtube.

Chairwoman Seeber stated she would like to recap what had occurred at the meeting for the public, informing a motion was made by Supervisor Magowan, seconded by Supervisor Wild and carried unanimously to Waive the Rules of the Board relating to the requirement that resolutions be provided to the Board of Supervisors at least three days prior to a Special Board Meeting in order to entertain Resolution Nos. 109-111 and the Resolution Waiving the Rules was No. 108.

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Chairwoman Seeber once again asked if anyone from the Board would like to comment on the resolutions before them or if anyone would like to request a roll call vote, but there was no response. She asked Mr. Lehman if any public comments had been received and Mr. Lehman replied in the negative.

Chairwoman Seeber called for a collective vote on resolutions following which Resolution Nos. 108-111 were approved as presented, with Ms. Shepler abstaining from the vote.

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 asked Mr. Lehman if any public comments had been received and he replied in the negative.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Braymer, seconded by Supervisor Magowan and carried unanimously, Chairwoman Seeber adjourned the Board Meeting at 10:01 a.m.

Warren County Board of Supervisors

RESOLUTION NO. 108 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN AND WILD

WAIVING THE RULES OF THE BOARD REQUIRING THAT RESOLUTIONS BE PROVIDED TO THE MEMBERS OF THE BOARD OF SUPERVISORS THREE DAYS PRIOR TO A SPECIAL BOARD MEETING IN ORDER TO ENTERTAIN RESOLUTION NOS. 109, 110 AND 111 OF 2021

WHEREAS, by Resolution No. 6 of 2021, and amended by Resolution No. 69 of 2021, the Board of Supervisors adopted the Rules of the Board, Section A(5) of which indicates that all resolutions must be provided each member of the Board at least three days prior to a Special Board meeting, and

WHEREAS, the Board has agreed to consider proposed Resolution Nos. 109, 110 and 111 which were not distributed in keeping with the deadline provided in the Rules of the Board, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the requirement that resolutions be provided to the Board of Supervisors at least three days prior to a Special Board meeting in order to entertain said resolutions.

Warren County Board of Supervisors

RESOLUTION NO. 109 OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN, BRUNO, WILD, SHEPLER AND STROUGH
INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2021, ENTITLED “DISPENSING WITH
THE REQUIREMENTS UNDER NEW YORK STATE GENERAL MUNICIPAL LAW
SECTION 352 AND AUTHORIZING A LEASE OF AIRPORT REAL PROPERTY”, AND
AUTHORIZING PUBLIC HEARING THEREON**

RESOLVED, that proposed Local Law No. 3 of 2021 entitled "Dispensing with the Requirements under New York State General Municipal Law Section 352 and Authorizing a Lease of Airport Real Property", attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Rooms in the Warren County Municipal Center on the 16th day of April, 2021, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. 3 of 2021, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

**COUNTY OF WARREN
LOCAL LAW NO. 3 OF 2021**

**DISPENSING WITH THE REQUIREMENTS UNDER NEW YORK STATE
GENERAL MUNICIPAL LAW SECTION 352 AND AUTHORIZING A
LEASE OF AIRPORT REAL PROPERTY**

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Title. This Local Law shall be entitled “A Local Law Leasing Airport Real Property.”

SECTION 2. Purpose. The purpose of this law is to authorize Warren County, pursuant to the provisions of General Municipal Law Section 352 and County Law Section 215, to lease real property owned by Warren County and part of the Floyd Bennett Memorial Airport (hereinafter “Airport”) for purposes other than aviation and for purposes not required for or necessary to the efficient and successful operation of the Airport.

SECTION 3. Lease of Airport Property. The Board of Supervisors of the County of Warren, New York, shall have the power to lease property at the Airport to individuals, firms, or corporations, for any purpose including purposes unrelated to aviation, and purposes not required for or necessary to the efficient and successful operation of the Airport.

SECTION 4. Supersession. This Local Law shall supersede General Municipal Law Section 352 which limits the lease of airport property to aviation purposes and for purposes required for or necessary to the efficient and successful operation of the Airport.

SECTION 5. Referendum on Petition. This Local Law shall be subject to a referendum on petition as provided by Section 24 of the New York State Municipal Home Rule Law. This Local Law shall take effect forty-five (45) days after its adoption by the Board of Supervisors unless a petition, signed and authenticated by the required number of qualified electors, is filed with the Clerk of the Board of Supervisors as provided by said Section 24 of the Municipal Home Rule, requiring a referendum thereon,

RESOLUTION No. 109 OF 2021

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in which event this Local Law shall take effect upon its approval by the affirmative vote of the qualified electors of the County of Warren on a proposition for the approval of this Local Law.

SECTION 6. Severability. In the event that any provision of this Local Law shall be determined by a Court of Law to be illegal and/or unenforceable, this Local Law, to the extent the Courts have determined practical, shall continue in full force and effect as if the said illegal or unenforceable provisions were not contained a part thereof.

Warren County Board of Supervisors

RESOLUTION NO. 110 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN, BRUNO, WILD, SHEPLER AND STROUGH AUTHORIZING PUBLIC HEARING REGARDING A SOLAR LAND LEASE AT THE WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT

RESOLVED, that the Warren County Board of Supervisors will hold a public hearing on the 16th day of April, 2021 at 10:00 a.m. in the Supervisors' Room in the Warren County Municipal Center for the purpose of hearing public comments on the Solar Land Lease at the Warren County (Floyd Bennett Memorial) Airport. The hearing will provide further information about the Solar Land Lease and comments on the lease will be received at this time. The hearing is being conducted pursuant to General Municipal Law Section 352.

Warren County Board of Supervisors

RESOLUTION NO. 111 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS HOGAN, FRASIER, WILD, STROUGH, LEGGETT, GERAGHTY AND MERLINO

AUTHORIZING A PUBLIC HEARING AS REQUIRED BY THE NEW YORK STATE HOUSING TRUST FUND CORPORATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AVAILABLE THROUGH THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT

RESOLVED, that the Warren County Board of Supervisors will hold a public hearing on the 16th day of April, 2021 at 10:00 a.m. in the Supervisors' Room in the Warren County Municipal Center for the purpose of hearing public comments on the possible submission of one or more Community Development Block Grant (CDBG) applications for grant funds available through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and will make available up to One Million Dollars (\$1,000,000) for resources to non-entitlement communities and all entitlement jurisdictions to prevent, prepare for, and respond to the COVID-19 pandemic. The hearing will provide further information about the CDBG program and will allow for citizen participation in the development of any proposed grant applications and/or to provide technical assistance to develop alternate proposals. Comments on the CDBG program will be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart 1 of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.