

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, MAY 21, 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".

Please note that the following is a summarization of the Board Meeting; the meeting, in its entirety, can be viewed on the Warren County website: <https://warrencountyny.gov/mma>

The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York; meeting called to order at 10:11 a.m.

Ms. Rachel E. Seeber presiding.

Salute to the flag was led by Supervisor Hogan.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Smith, Dickinson, Merlino, Strough, Wild, Beaty, Thomas, Shepler, Geraghty and Seeber-20; Absent -1 Supervisor Magowan. *All Supervisors in attendance were physically present, aside from Supervisor Dickinson who attended remotely.*

Motion was made by Supervisor Geraghty, seconded by Supervisor Bruno and carried unanimously to approve the minutes of the April 16, 2021 Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Robert Hosford of the Information Technology Department.

Privilege of the Floor was extended to Jim Lieberum, *District Manager, Warren County Soil & Water Conservation District*, who addressed the Board regarding the closing of the public comment period on the draft 2021 MS4 (*Municipal Separate Storm Sewer System*) Annual Report. Mr. Lieberum provided a brief overview of the Annual Report and answered questions posed. Chairwoman Seeber called for a show of hands in support of approving the MS4 Annual Report and unanimous consent was given.

Report by the Chair of the Board was given.

Reports by Committee Chairs were given.

Report by the County Administrator was given.

Report by the County Attorney was given.

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Reading of communications by the Clerk of the Board was provided, as follows:

Reports from:

1. Capital District Regional Off-Tracking Betting Corp Financial Report dated November 30, 2020.
2. Capital District Regional Off-Tracking Betting Corp Financial Report dated January 31, 2021.
3. Capital District Regional Off-Tracking Betting Corp Financial Report dated February 28, 2021.
4. Capital District Regional Off-Tracking Betting Corp Audited Financial Statements for years ended December 31, 2020 and 2019.

Letters/emails from:

1. Lori J. O'Shaughnessy, Queensbury Parks & Recreation - Letter advising of her resignation from the Warren County Youth Board.
2. June Maxam - Ethics complaint and response to complaint from County Attorney.
3. NYS Department of Public Service - Seeking public comment regarding two proposals filed by the Department of Public Service Staff in the Gas Planning Proceeding.
4. Chad Farrington - Advising of support for the County's opt-in for the youth deer hunting pilot program.
5. FitzGerald, Morris, Baker Firth - Notice of Public Hearing regarding The Glen at Hiland Meadows, Inc. Tax Exempt Bond Financing Project.
6. The Counties of Warren and Washington Civic Development Corporation - Notice of Public Hearing regarding The Glen at Hiland Meadows, Inc. Tax Exempt Bond Financing Project.
7. The Counties of Warren and Washington Civic Development Corporation - Notice of Public Hearing regarding proposed CHPE LLC Project.
8. The Counties of Warren and Washington Civic Development Corporation - Notice of cancellation of Public Hearing regarding The Glen at Hiland Meadows, Inc. Tax Exempt Bond Financing Project.

Other:

1. Capital District Regional Off Track Betting Corp. - March 2021 surcharge payment in the amount of \$2,933.
2. Capital District Regional Off Track Betting Corp. - 2020 Regional Benefit Distribution Installments #8, #9 & #10, each in the amount of \$2,408.

Reading of resolutions by the Clerk of the Board was announced as follows:

Proposed Resolution Nos. 156-195 were distributed to the Board and posted to the Warren County website on Thursday, May 13th which met the distribution deadline specified in the Rules of the Board. Resolution Nos. 170 and 186 were subsequently revised and re-distributed to the Board on Tuesday May 18th which also met the mailing deadline specified.

With reference to the resolution approved by the Personnel, Administration & Higher Education Committee at their meeting held earlier the same morning which authorized extension of the deadline for use of earned leave time hours carried over from 2020 by Warren County employees, it was noted that because this could not be distributed in accordance with the Rules of the Board, a waiving of the Rules would be required before said resolution could be brought to the floor for consideration. The necessary motion was made by Supervisor Braymer, seconded by Supervisor Beaty and carried unanimously (*Resolution No. 196*). Motion was made by Supervisor Braymer, seconded by Supervisor Beaty and carried unanimously to bring the proposed Resolution relating to the extension of the deadline for use of carryover time to the floor (*Resolution No. 197*).

Motion was made by Supervisor Geraghty, seconded by Supervisor Diamond and carried unanimously to amend proposed Resolution No. 191, *Approving a Settlement Agreement in the Matter of Shannon C. Dickinson v. The County of Warren*, to specify the finalized settlement amount of \$24,800.

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Discussion on resolutions was held, the majority of which pertained to proposed Resolution No. 189, *Introducing Proposed Local Law No. 5 of 2021, Entitled "A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law"*. A motion was made by Supervisor Conover and seconded by Supervisor Braymer to amend Resolution No. 189 of 2021 to delete Appendix "B". A brief discussion ensued following which Supervisor Braymer withdrew her second to the motion. Supervisor Conover restated his motion to amend proposed Resolution No. 189 to delete Appendix "B" from the resolution and revert back to the current Annual Statement of Financial Disclosure form. Chairwoman Seeber inquired whether there was a second to the motion and Supervisor Geraghty replied in the positive. A brief discussion ensued following which Chairwoman Seeber called for a roll call vote on the motion. The aforementioned motion was carried by majority, with 614 votes in favor (*Supervisors Dickinson, Merlino, Strough, Wild, Thomas, Shepler, Geraghty, Conover, Leggett, McDevitt, Bruno, Driscoll, Frasier and Smith*), and 301 against (*Supervisors Hogan, Beaty, Diamond, Braymer and Seeber*), and 85 Absent (*Supervisor Magowan*).

Supervisor Hogan requested a roll call vote on proposed Resolution NO. 189, *Introducing Proposed Local Law No. 5 of 2021, Entitled "A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law"*.

Supervisor Shepler made a motion to table proposed Resolution No. 189 and send it back to Committee for further discussion. Chairwoman Seeber asked if there was a second to the motion; Supervisor Hogan seconded the motion. A short discussion ensued following which Supervisors Shepler and Hogan withdrew their motions to table.

Chairwoman Seeber asked if everyone was agreeable to Supervisor Braymer's request to move the Privilege of the Floor and Public Comment ahead of the Discussion and Public Comment on Proposed Resolutions to allow the members of the public to discuss matters not relating to resolution to which no objections were received.

Beth Fitzgerald Wadleigh, *Saratoga County Resident*, spoke regarding a formal complaint she had filed against William VanNess, *Commissioner, Board of Elections (R)*, pertaining to comments he had made on his personal social media account and the discussions she had with him regarding same. The following individuals voiced their support of Ms. Wadleigh's complaint: Sara Carpenter, *Warren County Resident*; Agata Stamford, *City of Glens Falls Resident*; and a woman who did not identify herself.

Chairwoman Seeber asked Don Lehman, *Director of Public Affairs*, whether any public comments had been submitted to him and he replied in the negative.

Supervisor Strough inquired when the appropriate time was for Supervisors, such as himself, who did not Chair a Committee, to comment on matters not pertaining to resolutions and Chairwoman Seeber responded they were provided the opportunity to voice their opinions on resolutions during the Discussion and Public Comment on Proposed Resolutions portion of the Agenda and they could bring forward any other matters during the Privilege of the Floor and Public Comment or Announcements portion of the Agenda.

Chairwoman Seeber returned to the Discussion and Public Comment on Proposed Resolutions portion of the Agenda, inquiring whether Supervisor Shepler's question regarding proposed Resolution No. 184, *Adopting the Warren County Local Solid Waste Management Plan*, had been answered to which Supervisor Shepler responded in the negative. A discussion ensued on the aforementioned proposed Resolution.

In regard to proposed Resolution Nos. 171, *Accepting Proposal and Authorizing Agreement with*

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Contingency Management Consulting Group, LLC to Provide Warren County with Assistance in Emergency Planning, Training and Exercise (WC 17-21) for the Office of Emergency Services, and 172, Accepting Proposal and Authorizing Agreement with Debristech, LLC to Provide Warren County with Assistance in Emergency Response, Debris Monitoring Services and Cost Recovery (WC 18-21) for the Office of Emergency Services, Supervisor Thomas requested going forward that resolutions for contracts include a dollar amount regardless of whether it is an estimate or an exact amount. At the conclusion of the discussion Chairwoman Seeber requested that Supervisor Diamond review prior contracts that were approved by his Committee that did not include dollar amounts as a pending item and for Supervisor Beaty to bring a resolution before the Governmental Operations & Advocacy Committee that indicated all bid tabulation sheets moving forward should be attached to resolutions as a Schedule "A".

Motion was made by Supervisor Thomas, seconded by Supervisor Diamond and carried unanimously to amend proposed Resolution Nos. 171 and 172 of 2021 to include the Schedule "A" attachments of the bid tabulation sheets.

Discussion continued regarding the proposed Resolutions before the Board today. Chairwoman Seeber inquired whether any public comments had been received regarding same and Mr. Lehman replied in the negative.

Supervisor Wild Requested a Roll Call Vote on Proposed Resolution No. 189, Introducing Proposed Local Law No. 5 of 2021, Entitled "A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law". Chairwoman Seeber advised a roll call vote had already been requested on the proposed Resolution.

There being no further discussion, Chairwoman Seeber called for a vote on resolutions, following which Resolution Nos. 156-197 were approved as presented, with the exception of Resolution No. 158 which was withdrawn and Resolution Nos. 171, 172, 189 and 191 which were amended from the floor.

Chairwoman Seeber called for privilege of the floor and announcements.

Supervisor Hogan expressed her deepest gratitude to Ryan Moore, *County Administrator*, on behalf of herself and the residents of the Town of Johnsbury for the leadership he had provided to her Town throughout the pandemic. Mr. Moore thanked the Board for the support they had provided to him.

Supervisor Strough spoke regarding the annual Memorial Day Parade which was a joint effort by the Town of Queensbury and the City of Glens Falls and was scheduled for Monday, May 31st

Supervisor Conover communicated how a Warren County resident had contacted him regarding the former Mullen's property on Bay Road in the Town of Queensbury and how it was a butterfly habitat.

Supervisor Merlino advised the American Legion in the Town of Lake Luzerne would be holding a small parade on May 31st in honor of Memorial Day that would adhere to the regulations regarding COVID. He added he had also recently received a Certificate from the American Legion he was a member of in the State of New Jersey commemorating his fifty years as a member.

Chairwoman Seeber thanked Supervisor Merlino for his service and that accomplishment, as well.

Supervisor Braymer thanked Supervisor Conover for following up with Kevin Hajos, *Superintendent of Public Works*, regarding the butterfly habitat on the former Mullen's property and she invited everyone to attend the Memorial Day Parade that Supervisor Strough had mentioned. She once again asked for support of the proposed resolution that discussion would continue on at the next Environmental

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Concerns & Real Property Tax Services Committee meeting regarding a septic inspection at transfer law.

Supervisor Geraghty mentioned the American Legion in the Town of Warrensburg would be holding a ceremony for Memorial Day at the cemetery at 10:00 a.m. on May 31st to honor veterans'. He recognized Joanne Conley, *Director of Tourism*, for her forty years of service to the County which he believed was quite the momentous occasion, as well as to Mr. Moore and the County employees for their efforts in assisting the County with persevering through the pandemic. He concluded by emphasizing the need for County-wide EMS services which was a slow moving effort that required the assistance of the State on in order to get this accomplished. He added he was pleased with the civil discourse that was exercised throughout the meeting today.

Supervisor Leggett invited everyone to attend the Town of Chester Memorial Day Parade at 10:45 on Monday, May 31st.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Beaty and seconded by Supervisor Bruno, Chairwoman Seeber adjourned the Board Meeting at 1:16 p.m