

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, JUNE 16, 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 4:03 p.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, Hogan, Strough, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber-20; Absent -2 Supervisors Dickinson and Merlino .*All Supervisors in attendance were physically present, aside from Supervisor McDevitt who attended remotely.*

Motion was made by Supervisor Beaty, seconded by Supervisor Bruno and carried unanimously to approve the minutes of the May 21, 2021 Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Zachary Ruland.

Following the presentation of the Employee of the Month Award, Chairwoman Seeber spoke regarding the Leadership Program that was new and being offered to Department Heads and she recognized Marcy Flores, *Public Defender*, and Amy Clute, *Self-Insurance Administrator*, for completing the program and obtaining their leadership badges.

Presentation of Certificate of Excellence was made to 2021 SUNY Adirondack Graduate Christine Braymer.

Proceeding with the Agenda review, Chairwoman Seeber declared the Public Hearing on Proposed Warren County Local Law No. 4 of 2021, entitled "A Local Law Adopting a Pilot Youth Deer Hunting Program" open at 4:14 p.m. and she requested that Amanda Allen, *Clerk of the Board*, read aloud the Notice of Public Hearing, which she proceeded to do. Chairwoman Seeber then called for any public comment.

Dan Ladd, *Representing the Warren County Conservation Council*, voiced support of Proposed Local Law Local Law No. 4 of 2021 which he believed was long overdue.

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John Bowe, *Cornell Cooperative Extension 4-H & Family Living Coach*, advised his organization was not present virtually to advocate for or against proposed Local Law No. 4 of 2021, but rather to provide facts on behalf of their 4-H Shooting Program. He said individuals aged 12-13 had to be accompanied by a mentor, and were typically the safest hunting age group. He explained in the past 30 years the 4-H program had never had an accident. He remarked New York State was one of four states that did not allow this age group to hunt big game.

George Gedney, *Hudson Falls Fish & Game Board Member*, spoke about the proposal, informing he was a hunting and 4-H firearms instructor who had been involved in the sport for 25 years. He apprised he was a huge advocate for lowering the hunting age and had been advocating for the measure for 27 years.

Chairwoman Seeber once again called for anyone wishing to speak on Proposed Warren County Local Law No. 4 of 2021; there being no response she closed the Public Hearing at 4:26 p.m.

Continuing with the Agenda review, Chairwoman Seeber declared the Public Hearing on 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", open at 4:26 p.m. and requested that Mrs. Allen read aloud the Notice of Public Hearing, which she proceeded to do. Chairwoman Seeber then called for any public comment.

James LaFarr, *Warren County Sheriff*, discussed how the adoption of Proposed Local Law No. 5 of 2021 would assist the Sheriff's Office with filling vacancies within the department that they were struggling to attract qualified applicants to apply for. He concluded by volunteering to participate in meetings of and provide input to the newly formed Sub-Committee that was created for the purpose of working further on the financial disclosure form required by the Warren County Ethics and Disclosure Law.

Chairwoman Seeber once again called for anyone wishing to speak on Proposed Warren County Local Law No. 5 of 2021; there being no response she closed the Public Hearing at 4:31 p.m.

Report by the Chair of the Board was given.

Reports by Committee Chairs were given.

During the Committee reports a motion was made by Supervisor Conover, seconded by Supervisor Diamond and carried unanimously to refer proposed Resolution No. 227, *Introducing Proposed Local Law No. 6 of 2021, Entitled "A Local Law Amending Local Law No. 11 of 2011, Entitled "A Local Law Amending Local Law No. 7 of 1978 and Local Law No. 2 of 1984 to Authorize Snowmobile Usage on the Warren County Bikeway in a Certain Section Designated Within Local Law No. 11 of 2011", to Authorize Class 1 and Class 2 Bike Usage on the Warren County Bikeway," and Authorizing Public Hearing Thereon,* to a joint meeting of the Public Works and Public Safety Committees for further discussion.

Report by the County Administrator was given.

Report by the County Attorney was given.

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

Other:

1. Capital District Regional Off Track Betting Corp. - April 2021 surcharge payment in the amount of \$2,988.
2. Capital District Regional Off Track Betting Corp. - 2020 Regional Benefit Distribution

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Installments #11, in the amount of \$2,408, and #12 & #13, each in the amount of \$1,631.

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

Proposed Resolution Nos. 198-250 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. She noted there were four Floor Resolutions in the resolution packets which were not approved by a Committee and a waiving of the Rules would be required to consider them. The necessary motion to Waive the Rules was made by Supervisor Bruno, seconded by Supervisor Magowan and carried unanimously. Mrs. Allen announced a motion was required to bring proposed Floor Resolution Nos. 2-4 to the floor. The necessary motion was made by Supervisor Braymer, seconded by Supervisor Magowan and carried unanimously. Mrs. Allen informed Proposed Floor Resolution No. 1 would now be referred to as Proposed Resolution No. 251, Proposed Floor Resolution No. 2 would be referred to as Proposed Floor Resolution No. 252, Proposed Floor Resolution No. 3 was now referred to as Proposed Floor Resolution No. 253 and Proposed Floor Resolution 4 would now be referred to as Proposed Floor Resolution No. 254. She added Proposed Resolution Nos. 253 and 254 would be subject to roll call votes.

During the discussion on resolutions, A motion was made by Supervisor Braymer, seconded by Supervisory Beaty and carried unanimously to waive the Rules of the Board in order to entertain a resolution establishing a Special Committee for the purpose of drafting a proposal for a Septic Inspection at Transfer Law. A motion was made by Supervisor Braymer and seconded by Supervisor Magowan to establish a Special Committee for the purpose of drafting a proposal for a Septic Inspection at Transfer Law to be presented to the Board of Supervisors at their September Workshop Meeting. A lengthy discussion ensued during which the following members of the public were permitted to voice their opinions on the matter.

Mr. Gedney implored with the Board not to make the same mistakes they had with the mandatory Boat Inspection Program and to illicit feedback from the experts in this area, such as the local municipal zoning departments, as well as the public to ensure this was handled in the appropriate manner.

Dennis Fredette, *Warren County Resident*, voiced his support of moving forward with a Septic at Transfer Law as soon as possible.

During the public comments Supervisors Hogan and Shepler exited the meeting at 6:15 p.m.

Further discussion ensued following which Supervisor Braymer amended her motion and Supervisor Magowan amended his second to indicate the special Committee being established for the purpose of a proposal for a Septic Inspection at Transfer Law to be presented to the Board of Supervisors at their September Workshop Meeting, with the Committee being dissolved on December 31, 2021. Chairwoman Seeber called the question and the motion was carried by majority vote, with a vote of 655 in favor (*Supervisors Strough, Magowan, Beaty, Geraghty, Conover, Leggett, Diamond, Braymer, Bruno, Driscoll and Seeber*) and 186 opposed (*Supervisors Wild, Thomas, McDevitt, Frasier and Smith*) and 159 Absent (*Supervisors Dickinson, Merlino, Shepler and Hogan*).

Mrs. Allen noted the Proposed Resolution waiving the Rules of the Board would now be referred to as Proposed Resolution No. 255 and the Proposed Resolution concerning the establishment of a special Committee for the purpose of a proposal for a Septic Inspection at Transfer Law was Proposed Resolution No. 256.

Returning to discussion on resolutions, the majority of which pertained to proposed Resolution No. 233, *Resolution Eliminating Mileage Reimbursement Paid to Members of the Warren County Board of*

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Supervisors for Travel to the Warren County Municipal Center to Attend Committee and Board Meetings.

During the discussion Supervisor Driscoll requested a roll call vote on Proposed Resolution No. 233. A motion was made by Supervisor Wild, seconded by Supervisor Diamond and carried by majority vote, with Supervisor Thomas voting in opposition, to amend proposed Resolution No. 233 to include eliminating milage reimbursement paid to Board members for travel to the Warren County Municipal Center to attend Committee and Board Meetings effective on January 1, 2022.

Supervisor Strough requested a roll call vote on proposed Resolution No. 234, *Approving Tentative Operating Budget for Fiscal Year 2021-2022 for Adirondack Community College and Providing for Public Hearing.*

Stewart Allen, *Town of Queensbury Resident*, voiced his support of proposed Resolution No. 256 *Establishing a Special Committee to Present a Proposal to the Board of Supervisors at Their September Workshop Meeting in Regard to a Proposed Septic Inspection at Transfer Law*, which he implored with the Board to move forward with adopting today, as he believed it was long overdue.

Don Lehman, *Director of Public Affairs*, read aloud a comment received from Travis Whitehead, *Town of Queensbury Resident*, regarding proposed Resolution No. 256, *Establishing Capital Project No. H405, Lake George Septic Replacement Program; Authorizing Transfer of Funds; and Amending Warren County Budget for 2021*, which he was supportive of; he added he believed the County should withdraw its annual financial contribution to the plant until the Town of Lake George agreed to take actions to monitor and control the waste entering Lake George from town residents who lived beside the Lake and its tributaries.

Supervisor Thomas requested a roll call vote on proposed Resolution No. 229, *Authorizing Agreements with Certain Applicants for the Disbursement of 2021 Occupancy Tax Revenues.*

Upon the suggestion of Supervisor Braymer, Chairwoman Seeber inquired whether anyone was opposed to doing one roll call vote for proposed Resolution Nos. 236-239 to which no objections were made.

There being no further discussion, Chairwoman Seeber called for a vote on resolutions, following which Resolution Nos. 198-256 were approved as presented, with the exception of Resolution No. 227 which was referred back to the Committee and Resolution No. 233 which was amended from the floor and failed due to obtaining the lack of majority vote required, with 233 voting in favor (*Supervisors Magowan, Beaty, McDevitt, Braymer, Bruno and Seeber*) and 442 voting in opposition (*Supervisors Strough, Wild, Thomas, Geraghty, Conover, Leggett, Diamond, Driscoll, Frasier, and Smith*) and 159 Absent (*Supervisors Dickinson, Merlino, Shepler and Hogan*).

Chairwoman Seeber called for privilege of the floor.

Supervisor Bruno asked whether the plexiglass in between the Supervisors desks in the Board Room could be removed since the restrictions pertaining to the pandemic had been lifted by the State and Chairwoman Seeber responded they would be removed before the July 16th Board Meeting.

Supervisor Leggett advised he had enjoyed attending the meeting this evening.

Supervisor Strough read aloud an editorial written by Ken Tingley that was featured in *The Post Star* which voiced Mr. Tingley's displeasure with Chairwoman Seeber and the leadership she was providing to the Board, as well as the fact that she had not appointed Supervisor Strough to Chair a Committee. He also announced that tomorrow was the 246th anniversary of the death of Joseph Warren, who had given his life for the independence of this Country.

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Supervisor Diamond remarked although he had voted in favor of Resolution No. 253, *Authorizing the Appropriation of Funds from the Unappropriated Fund Balance to the County Attorney Budget; Amending 2021 Warren County Budget*, he wanted to state for the record that he was opposed to the paid administrative leave that was referenced in this resolution.

Supervisor Geraghty provided an update on Supervisor Merlino's health, informing he had been released from the hospital, was home and would be taking some time off to recuperate. He indicated Supervisor Merlino had asked him to extend appreciation on his behalf to his colleagues on the Board who had expressed well wishes to him. Chairwoman Seeber noted a get well card had been mailed to him on behalf of the entire Board.

Norman Dasher, *Executive Director, The Hyde Collection*, voiced his appreciation for the support the Board had provided to his organization with occupancy tax funding in prior years and spoke regarding their plans to improve and recover from the time they were closed during the pandemic.

Mr. Gedney thanked the Board for adopting Resolution No. 249, *Enacting Local Law No. 4 of 2021, Entitled "A Local Law Adopting a Pilot Youth Deer Hunting Program"*.

Chairwoman Seeber called for announcements.

Chairwoman Seeber thanked Supervisor Diamond for agreeing to Chair the Sub-Committee that was formed for the purpose of working on updates to the financial disclosure form associated with the Warren County Ethics and Disclosure Law and Supervisor Bruno for volunteering to serve as the Vice-Chair. She stated Supervisor Braymer had also expressed an interest in being appointed to the Committee and she asked that anyone else interested in serving on the Committee, which needed two additional members, to contact her.

In regard to the comments made by Supervisor Diamond regarding his opposition to paying administrative leave for the position referenced in Resolution No. 253, *Authorizing the Appropriation of Funds from the Unappropriated Fund Balance to the County Attorney Budget; Amending 2021 Warren County Budget*, Supervisor Braymer advised this related to a position within the County Attorney's Office for which the County was currently in active litigation on to defend the County's position. She noted this was being done as a result of the advice from the County's Outside Counsel with respect on how to move forward with that particular employee, adding she personally was not supportive of this, but it was necessary for them to follow the legal advice provided to them.

Supervisor Driscoll mentioned he hoped last month he had recognized all of the members of the Board and County staff who were mother's and this month he would like to acknowledge all of the Board members and County staff who were father's.

Supervisor Diamond requested that a timetable be placed on when the two remaining vacancies would be filled on the Sub-committee charged with working on the financial disclosure form to allow them to begin the process of working on this as soon as possible. Following a brief discussion Supervisors Geraghty and Leggett volunteered to be members and were appointed to the Sub-Committee.

Supervisor Beaty thanked the Board members, with the exception of one, for communicating well and being civil to one another during the meeting today.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Bruno and seconded by Supervisor Smith, Chairwoman Seeber adjourned the Board Meeting at 7:22 p.m.