

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: EXECUTIVE COMMITTEE**

**DATE: AUGUST 12, 2021**

---

---

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BEATY  
BRAYMER  
THOMAS  
MAGOWAN  
LEGGETT  
HOGAN  
FRASIER  
DRISCOLL  
DIAMOND  
CONOVER

**OTHERS PRESENT:**

RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
AMANDA ALLEN, CLERK OF THE BOARD  
ROBERT TERWILLIGER, ACTING COUNTY ATTORNEY  
OUTSIDE COUNSEL FOR WARREN COUNTY:  
EARL T. REDDING, ROEMER, WALLENS, GOLD & MINEAUX, LLP  
SHAYNA E. SACKS, NAPOLI SHKOLNIK PLLC  
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES  
RYAN DICKEY, SECOND ASSISTANT COUNTY ATTORNEY  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
MIKE SWAN, COUNTY TREASURER

**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS GERAGHTY  
DICKINSON  
SMITH  
MERLINO

SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

---

---

*Please note, the following contains a summarization of the August 12, 2021 meeting of the Executive Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov/mma>*

Mr. Beaty called the meeting of the Executive Committee to order at 9:02 a.m. and promptly transferred the Chair to Ms. Braymer.

Copies of the meeting Agenda were distributed to the Committee members and a copy of same is on file with the meeting minutes.

A motion to approve the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board, was made by Mr. Magowan, seconded by Mr. Diamond and carried by majority vote, with Mr. Leggett abstaining.

Commencing the Agenda review, an executive session was requested to discuss pending litigation which included the following: Morgan v. Warren County and others; the opioid litigation; and Forest Enterprises v. Warren County.

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

Executive session was held from 9:04 a.m. until 11:26 a.m.

Upon reconvening, the following motions were made:

---

Motion to authorize the County Attorney and Napoli Shkolnik, PLLC to sign on behalf of the County to accept the opioid settlement was made by Mr. Magowan, seconded by Mrs. Frasier and carried unanimously. The necessary resolution was authorized for the August 20<sup>th</sup> Board meeting.

Motion to authorize payment in the amount of \$9,926.73 to Ilana Morgan for wages owed for the term January 21, 2019 to March 24, 2019 was made by Mr. Diamond, seconded by Mr. Magowan and carried unanimously. The necessary resolution was authorized for the August 20<sup>th</sup> Board meeting.

A discussion was held with regard to the awarding of additional funds to Forest Enterprises in relation to eminent domain proceedings and a source of funding for same.

A motion was made by Mr. Magowan, seconded by Mr. Conover and carried by majority vote, with Mr. Beaty voting in opposition, to authorize payment in the amount of \$193,042 to Forest Enterprises to be funded from the CARES Act grant funding (if eligible) and any remaining balance to be paid through an appropriation from the General Fund Unappropriated Surplus Account. The necessary resolution was authorized for the August 20<sup>th</sup> Board meeting.

A motion was made by Mr. Leggett, seconded by Mr. Driscoll and carried unanimously to authorize a transfer of funds in the amount of \$9,926.73 from the Contingent Account to the County Attorney's Budget to cover the cost of wages owed to Ilana Morgan. The necessary resolution was authorized for the August 20<sup>th</sup> Board Meeting.

Committee reviewed Agenda Item 2, regarding a request presented by the Real Property Tax Services Director to enter into a Professional Service Provider Agreement with Auctions International for the auction of the Mullen's property at a cost of \$2,000.

A motion was made by Mr. Driscoll and seconded by Mr. Magowan to approve the request and a lengthy discussion ensued. Ms. Braymer called the question and the aforementioned motion was carried unanimously; the necessary resolution was authorized for the August 20<sup>th</sup> Board meeting.

A request was presented for a transfer of funds in the amount of \$2,000 from a Contingent Account to cover the cost of the services provided by Auctions International which would be incurred if no bids were received, the minimum bid requirement was not met or the Board decided not to move forward with awarding the bid. Following some discussion it was determined that if approved, the resolution should note that this transfer would only occur if one of the aforementioned circumstances occurred causing the fee to be charged.

Motion was made by Ms. Hogan, seconded by Mr. Diamond and carried unanimously to approve the request as presented, and with the caveat mentioned above, and the necessary resolution was authorized for the August 20<sup>th</sup> Board meeting.

A discussion occurred regarding the resolution that would be going before the Board for consideration at their August 20<sup>th</sup> Board meeting concerning the minimum bid requirement for the Mullen's property; the Clerk read the language included in the resolution aloud. The Committee indicated there seemed to be confusion regarding the

*AUGUST 12, 2021*

---

---

“minimum bid” language and the Clerk was asked to review the minutes of the Environmental Concerns & Real Property Tax Services Committee meeting where the resolution was approved to ensure the resolution was drafted correctly.

Privilege of the floor was offered.

There being no further business to discuss, on motion made by Mrs. Frasier, seconded by Mr. Magowan and carried unanimously, Ms. Braymer adjourned the meeting at 12:08 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board