

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION

DATE: OCTOBER 7, 2021

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BRAYMER
GERAGHTY
DRISCOLL
CONOVER
MAGOWAN

OTHERS PRESENT:

RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, ACTING COUNTY ATTORNEY
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
BRUNO
FRASIER (VIA ZOOM)
HOGAN
MERLINO
STROUGH
WILD (VIA ZOOM)
TERRY COMEAU, WARREN COUNTY UNDERSHERIFF
LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
ETHAN GADDY, ASSISTANT COUNTY PLANNER
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
KYLA MCGLINCH, WARREN COUNTY RESIDENT
TOM MCGLINCH, WARREN COUNTY RESIDENT
TIM MURPHY, WARREN COUNTY CORONER
MIKE SWAN, COUNTY TREASURER
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the October 7, 2021 meeting of the Personnel, Administration & Higher Education Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov/mma>

Note: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize 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.” All of the Committee members in attendance were physically present.

Ms. Braymer called the meeting of the Personnel, Administration & Higher Education Committee to order at 9:36 a.m.

Copies of the meeting agenda were distributed to those in attendance, those participating remotely accessed the agenda via the Warren County website; a copy of the agenda is on file with the meeting minutes.

Motion was made by Mr. Geraghty, seconded by Mr. Conover and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Prior to commencing the agenda review, Ms. Braymer apprised there were a few items not included on the agenda that needed to be addressed beginning with a discussion regarding autopsy services. She extended privilege of the floor to Tim Murphy, *Warren County Coroner*, who indicated the doctor performing autopsies for the County at The Glens Falls Hospital had lost his privileges there due to being unvaccinated. He said an agreement had been reached with The Glens Falls Hospital to

continue to store corpses for the County; however, he noted, they had to transport the corpses to St. Mary's Hospital and Healthcare Network in Amsterdam, New York. He stated this created additional issues because they had to make an appointment for autopsies, transport the corpse there, wait while the autopsy was being conducted and then return the corpse to storage at The Glens Falls Hospital. He mentioned fees would be increasing from what they typically paid because after the initial removal from the home they could not transport the corpses directly to St. Mary's Hospital and Healthcare Network, adding although they were aware the autopsy fee would be \$1,000 they were unsure what St. Mary's Hospital and Healthcare Network was going to charge for the use of their morgue for this purpose or what the fees would be for laboratory services and testing such as X-Rays. He indicated they were also in need of a forensic pathologist to handle the criminal autopsies and were unsure where they would be transporting their corpses for this purpose, as it could be anywhere from Syracuse, New York to New York City.

A discussion ensued following which a motion was made by Mr. Conover, seconded by Mr. Magowan and carried unanimously to authorize County staff to execute interim agreements with providers to be determined for removal, transport, and forensic medical services fees, as well as laboratory and autopsy services until such time it was deemed no longer necessary. The necessary resolution was authorized for the October 15th Board Meeting.

Next, privilege of the floor was extended to Ethan Gaddy, *Assistant County Planner*, who spoke regarding a grant opportunity pertaining to electric vehicles through the NYS DEC (*New York State Department of Environmental Conservation*) Climate Smart Community Program which would provide the County with full reimbursement for the installation of electric vehicle charging stations. He stated it was necessary to locate land within the appropriate location for these charging stations to be installed, as well as determining the ongoing operations and maintenance costs. He indicated since the grant application was due on October 29th authorization to submit the grant application was required; however, he noted, the County was not required to commit any resources at this time. He stated while this would not generate income for the County, it would provide an amenity for visitors, more specifically as more electric vehicles were driven in New York State and Canada.

A discussion ensued following which a motion was made by Mr. Magowan, seconded by Mr. Driscoll and carried unanimously to authorize submission of a grant application to NYS DEC for 2021 Zero-Emission Vehicle Infrastructure Grants for Municipalities program funding.

Skipping ahead, Privilege of the Floor/Public Comment was called for. Thomas McGlinch, *Warren County Resident*, spoke regarding his daughter Kyla McGlinch's home in the Town of Warrensburg which the County had foreclosed upon for non payment of taxes and would be included in the County's upcoming Foreclosure Auction. He proceeded to explain how the home was originally owned by his daughters recently deceased mother and that he had not been aware that the taxes had not been paid until recently when his daughter contacted him for assistance. He stated he had attempted to make arrangements to make the taxes current; however, he noted, he was advised because the County had taken title of the property this was no longer an option. He said the County Attorney had advised him to go before the Court to request that they rescind the order, but when he tried to locate an attorney to assist him with this they all advised him it was too late in the process to take such action. He indicated he was going before the Committee in an attempt to request that they postpone the sale to allow him time to make arrangements to set up a payment plan to pay off the past due taxes so that his daughter and two grandchildren did not lose their home.

A lengthy discussion ensued during which Robert Terwilliger, *Acting County Attorney*, and Lexie Delurey, *Director, Real Property Tax Services*, advised the Committee against taking action to remove the property from the County Foreclosure Auction. Mr. Terwilliger reiterated his suggestion to Mr. McGlinch that he go before the Court and make a motion to remove the property from the County Foreclosure Auction. Following the discussion the Committee members empathized with Mr. McGlinch and his daughter for being in this situation, but it was noted no action would be taken on this matter.

Ms. Braymer called for a motion to enter into executive session to discuss personnel matters, as well as the following pending litigation: County Foreclosure process and Morgan v. Warren County. The necessary motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to enter into an executive session pursuant to Section 105(1) (d) and (f) of the Public Officer's Law.

Executive session was held from 10:25 a.m. until 11:05 a.m.

Upon reconvening, Ms. Braymer indicated they were prepared to make a recommendation of appointment for the County Attorney position to the full Board.

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to recommend the appointment of Larry Elman as County Attorney. Note it was determined that the formal resolution appointing Mr. Elman would be presented at the next meeting of the personnel in order to approve salary adjustment and the appropriate start date.

Returning to the motion to authorize submission of a grant application to NYS DEC for 2021 Zero-Emission Vehicle Infrastructure Grants for Municipalities program funding, Ms. Braymer indicated it had been brought to her attention that the motion needed to be amended to specify that the amount the County was applying for was not to exceed \$80,000 and she asked Messrs. Magowan and Driscoll if they were agreeable to amending their motion to which they responded in the affirmative. Ms. Braymer called the question and the motion was carried unanimously and the necessary resolution was authorized for the October 15th Board Meeting.

Resuming the agenda review with the nominations for the Board of Ethics, Ms. Braymer called for a motion to appoint members to the Warren County Ethics Board as outlined in the agenda attachments. The necessary motion was made by Mr. Magowan, seconded by Mr. Driscoll and carried by majority vote, with Mr. Geraghty abstaining, and the necessary resolution was authorized for the October 15th Board Meeting.

Finally, a discussion occurred regarding the reapportionment of the weighted vote of the members of the Board of Supervisors pursuant to the 2020 Census during which Mr. Moore noted a decision would need to be made today to advance one or both the options outlined in the agenda in order to have something in place by the Organization Meeting in January of 2022 because the Local Law was subject to public referendum. He explained a resolution introducing the Local Law needed to be made at the October 15th Board Meeting and then a Public Hearing could be held at the November 19th Board Meeting and then subsequently adopted.

A discussion ensued during which it was decided to advance both options and following the Public Hearing they could advance whichever option they decided on and the resolution for the other one could be rescinded.

The necessary motion was made by Mr. Magowan, seconded by Ms. Braymer and carried unanimously to introduce a Local Law reapportioning the weighted vote of the members of the Warren County Board of Supervisors that includes the addition of a fifth At-Large Supervisor for the Town of Queensbury and authorizing a public hearing thereon, as well as introducing a Local Law reapportioning the weighted vote of the members of the Warren County Board of Supervisors and authorizing a public hearing thereon. The necessary resolutions were authorized for the October 15th Board Meeting.

Chairwoman Seeber requested that Don Lehman, *Director of Public Affairs*, work with the Information Technology Department to highlight the two separate options on social media and the County website to ensure the public was informed.

Ms. Braymer once again called for Privilege of the Floor/Public Comment, but there was none.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Geraghty, seconded by Mr. Conover and carried unanimously, Ms. Braymer adjourned the meeting at 11:19 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board