

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  
KYL A 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 15<sup>th</sup> 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 29<sup>th</sup> 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 15<sup>th</sup> 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 15<sup>th</sup> 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 15<sup>th</sup> Board Meeting and then a Public Hearing could be held at the November 19<sup>th</sup> 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 15<sup>th</sup> 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

**PERSONNEL, ADMINISTRATION & HIGHER EDUCATION COMMITTEE**  
**AGENDA**  
**OCTOBER 7, 2021**

***Committee Members: Braymer, Geraghty, Driscoll, Conover and Magowan - Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C(4) of the Rules of the Board***

**I.** Committee meeting called to order by Chair.

**II.** Motion to approve minutes of prior Committee meetings.

**III. Action Agenda**

1) Update/discussion on autopsies.

2) Executive session to discuss:

A. Update on pending litigation - *Section 105(1)(d) of the Public Officer's Law.*

B. Status of the County Attorney position - *Section 105(1)(f) of the Public Officer's Law*

C. Employment history of a particular employee - *Section 105(1)(f) of the Public Officer's Law*

3) Approval of nominations to the Board of Ethics.

4) Discussion regarding reapportionment of the weighted vote of the members of the Board of Supervisors pursuant to the 2020 Census.

**IV.** Privilege of the Floor/Public Comment

**V.** Motion to adjourn

# Warren County Board of Supervisors

## RESOLUTION NO. OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND MAGOWAN**

### **APPOINTING MEMBERS TO THE WARREN COUNTY BOARD OF ETHICS**

WHEREAS, by Resolution No. 317 of 2021, the Warren County Board of Supervisors enacted Local Law No. 6 of 2021 which contains the most reason of the Warren County Ethics and Disclosure Law, and

WHEREAS, Section 20 of Local Law No. 6 of 2021 establishes the Board of Ethics, stating that: “The Board of Ethics shall consist of three (3) members, one shall be an officer or employee of Warren County, one shall be an elected or appointed officer or employee of a local Municipality located within Warren County, and one shall be a member of the public who is not a County officer or employee, nor an officer, employee, elected or appointed member of a local Municipality. The members of such Board of Ethics shall be appointed by the Board of Supervisors, serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the Board of Ethics. The Board of Supervisors may appoint alternate members for each category who shall serve in the event a member is unable to serve due to illness, unavailability or when a conflict is presented. Alternate members shall serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the Board of Ethics”, and

WHEREAS, the Personnel, Administration & Higher Education Committee has met to interview and consider candidates for the aforementioned Board of Ethics and has suggested that those listed below be appointed accordingly, now, therefore be it

RESOLVED, that the following individuals are hereby appointed, effective upon adoption of this resolution:

Officer/Employee Appointee:

Robert Iusi - Director of Probation

Brian Pilatzke, Esq. - Assistant Public Defender - Alternate

Elected/Appointed Officer or Employee of a Local Municipality:

Ash Anand, Warrensburg School Board Member

Diana Palmer, Glens Falls City Common Council Member - Alternate

Member of the Public:

Connie Bosse

Martin Deslauriers - Alternate

*Note: Appointees serve at the pleasure of the Board for the current term of the majority of its members - all appointments made by this resolution will expire on December 31, 2021.*

# Warren County Board of Supervisors

RESOLUTION NO. OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND  
MAGOWAN

INTRODUCING PROPOSED LOCAL LAW NO. XX OF 2021  
AND AUTHORIZING PUBLIC HEARING THEREON

RESOLVED, that proposed Local Law No. XX of 2021 entitled "A Local Law Reapportioning the Weighted Vote of the Members of the Warren County Board of Supervisors", 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' Room in the Warren County Municipal Center on the 19<sup>th</sup> day of November, 2021, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. XX of 2021, and be it further

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

*RESOLUTION No. OF 2021*

*PAGE 2 OF 4*

**COUNTY OF WARREN**

**PROPOSED LOCAL LAW NO. XX OF 2021**

**A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE MEMBERS OF THE WARREN COUNTY BOARD OF SUPERVISORS**

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

SECTION 1. On and after the fourth day of January, 2022, the local legislative body of the County of Warren shall continue to be known and designated as the Board of Supervisors, but the election of the members thereof and their respective votes as such members thereof shall, on and after the fourth day of January, 2022, be determined and fixed in accordance with the provisions of this Local Law to accomplish the reapportionment of the local legislative body of the County of Warren in accordance with the 2020 Federal Census and the members thereof shall be designated as County Supervisors.

SECTION 2. The number and apportionment of the members of the Board of Supervisors shall be determined by the 2020 Federal Census. Until the 2030 Federal Decennial Census, unless an official County census is made before 2030, each town and city ward in the County of Warren shall be entitled to at least one (1) County Supervisor. Each town and city ward shall be entitled to one (1) additional County Supervisor for each 5,835 population as determined by the 2020 Federal Census.

SECTION 3. Based on the 2020 Federal Census of the County of Warren, on and after the fourth day of January, 2022, there shall be twenty (20) members of the Board of Supervisors of the County of Warren apportioned as follows:

RESOLUTION NO. OF 2021

PAGE 3 OF 4

Town of Bolton	1
Town of Chester	1
Town of Hague	1
Town of Horicon	1
Town of Johnsburg	1
Town of Lake George	1
Town of Lake Luzerne	1
Town of Queensbury	5
Town of Stony Creek	1
Town of Thurman	1
Town of Warrensburg	1
City of Glens Falls:	
First Ward	1
Second Ward	1
Third Ward	1
Fourth Ward	1
Fifth Ward	1

Such Supervisors shall be elected at the general election of 2021 and shall hold office for terms of two (2) years commencing on the first day of January following such election unless a municipality shall have elected as provided under State Law for its supervisor to hold a four (4) year term in which case the county supervisor shall hold office for a four (4) year term. In all towns having one (1) County Supervisor, the County Supervisor shall be the Town Supervisor. In towns having more than one (1) County Supervisor, the Town Supervisor shall be one (1) County Supervisor and the remaining County Supervisors shall be elected at large in the town. A vacancy in the Office of County Supervisor in a town, other than the Town Supervisor, shall be filled by a majority of the votes of the members of the town board. In a city ward having more than one (1) County Supervisor, all County Supervisors shall be elected at large in the ward. A vacancy in the Office of the County Supervisor in a city ward shall be filled by a majority vote of the common council of the city.

SECTION 4. On and after the fourth day of January, 2022, and continuing until the next Decennial Federal Census, unless an official County census shall be made sooner, each town and ward shall be entitled to the following number of votes on any resolution, local law, motion or proposal to be voted on by the Board of Supervisors, to wit:

RESOLUTION NO. OF 2021

PAGE 4 OF 4

Town of Bolton	31
Town of Chester	47
Town of Hague	10
Town of Horicon	22
Town of Johnsburg	33
Town of Lake George	53
Town of Lake Luzerne	47
Town of Queensbury:	
Town Supervisor	89
County Supervisor	89
County Supervisor	89
County Supervisor	89
County Supervisor	89
Town of Stony Creek	12
Town of Thurman	17
Town of Warrensburg	60
City of Glens Falls:	
First Ward	39
Second Ward	59
Third Ward	57
Fourth Ward	28
Fifth Ward	42

A total of 502 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a majority vote and a total of 668 affirmative votes shall be required for the adoption of any resolution requiring a two-thirds vote. On any committee of the Board of Supervisors, each County Supervisor shall have one (1) vote.

SECTION 5. This Local Law shall repeal Local Law No. 12 of 2011.

SECTION 6. If any section, subdivision, paragraph, subparagraph, clause, term, or part thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion and such shall not affect the validity of the remaining portion thereof.

SECTION 7. This Local Law is adopted pursuant to Section 10, Subdivision 1, paragraph a(13) of the Municipal Home Rule Law and is subject to permissive referendum and shall become effective upon filing with the Secretary of State as provided by Section 27 of the Municipal Home Rule Law of the State of New York and publication in the official newspapers of the County of Warren.

# Warren County Board of Supervisors

## RESOLUTION NO. OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND  
MAGOWAN**

### **INTRODUCING PROPOSED LOCAL LAW NO. XX OF 2021 AND AUTHORIZING PUBLIC HEARING THEREON**

RESOLVED, that proposed Local Law No. XX of 2021 entitled "A Local Law Reapportioning the Weighted Vote of the Members of the Warren County Board of Supervisors", 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' Room in the Warren County Municipal Center on the 19<sup>th</sup> day of November, 2021, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. XX of 2021, and be it further

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

*RESOLUTION No. OF 2021*

*PAGE 2 OF 4*

**COUNTY OF WARREN**

**PROPOSED LOCAL LAW NO. XX OF 2021**

**A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE MEMBERS OF THE  
WARREN COUNTY BOARD OF SUPERVISORS**

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

SECTION 1. On and after the fourth day of January, 2022, the local legislative body of the County of Warren shall continue to be known and designated as the Board of Supervisors, but the election of the members thereof and their respective votes as such members thereof shall, on and after the fourth day of January, 2022, be determined and fixed in accordance with the provisions of this Local Law to accomplish the reapportionment of the local legislative body of the County of Warren in accordance with the 2020 Federal Census and the members thereof shall be designated as County Supervisors.

SECTION 2. The number and apportionment of the members of the Board of Supervisors shall be determined by the 2020 Federal Census. Until the 2030 Federal Decennial Census, unless an official County census is made before 2030, each town and city ward in the County of Warren shall be entitled to at least one (1) County Supervisor. Each town and city ward shall be entitled to one (1) additional County Supervisor for each 5,580 population as determined by the 2020 Federal Census.

SECTION 3. Based on the 2020 Federal Census of the County of Warren, on and after the fourth day of January, 2022, there shall be twenty-one (21) members of the Board of Supervisors of the County of Warren apportioned as follows:

RESOLUTION NO. OF 2021

PAGE 3 OF 4

Town of Bolton	1
Town of Chester	1
Town of Hague	1
Town of Horicon	1
Town of Johnsburg	1
Town of Lake George	1
Town of Lake Luzerne	1
Town of Queensbury	6
Town of Stony Creek	1
Town of Thurman	1
Town of Warrensburg	1
City of Glens Falls:	
First Ward	1
Second Ward	1
Third Ward	1
Fourth Ward	1
Fifth Ward	1

Such Supervisors shall be elected at the general election of 2021 and shall hold office for terms of two (2) years commencing on the first day of January following such election unless a municipality shall have elected as provided under State Law for its supervisor to hold a four (4) year term in which case the county supervisor shall hold office for a four (4) year term. In all towns having one (1) County Supervisor, the County Supervisor shall be the Town Supervisor. In towns having more than one (1) County Supervisor, the Town Supervisor shall be one (1) County Supervisor and the remaining County Supervisors shall be elected at large in the town. A vacancy in the Office of County Supervisor in a town, other than the Town Supervisor, shall be filled by a majority of the votes of the members of the town board. In a city ward having more than one (1) County Supervisor, all County Supervisors shall be elected at large in the ward. A vacancy in the Office of the County Supervisor in a city ward shall be filled by a majority vote of the common council of the city.

SECTION 4. On and after the fourth day of January, 2022, and continuing until the next Decennial Federal Census, unless an official County census shall be made sooner, each town and ward shall be entitled to the following number of votes on any resolution, local law, motion or proposal to be voted on by the Board of Supervisors, to wit:

RESOLUTION NO. OF 2021

PAGE 4 OF 4

Town of Bolton	31
Town of Chester	47
Town of Hague	10
Town of Horicon	22
Town of Johnsburg	33
Town of Lake George	53
Town of Lake Luzerne	47
Town of Queensbury:	
Town Supervisor	74
County Supervisor	74
County Supervisor	74
County Supervisor	74
County Supervisor	74
County Supervisor	74
Town of Stony Creek	12
Town of Thurman	17
Town of Warrensburg	60
City of Glens Falls:	
First Ward	39
Second Ward	59
Third Ward	57
Fourth Ward	28
Fifth Ward	42

A total of 501 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a majority vote and a total of 668 affirmative votes shall be required for the adoption of any resolution requiring a two-thirds vote. On any committee of the Board of Supervisors, each County Supervisor shall have one (1) vote.

SECTION 5. This Local Law shall repeal Local Law No. 12 of 2011.

SECTION 6. If any section, subdivision, paragraph, subparagraph, clause, term, or part thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion and such shall not affect the validity of the remaining portion thereof.

SECTION 7. This Local Law is adopted pursuant to Section 10, Subdivision 1, paragraph a(13) of the Municipal Home Rule Law and is subject to permissive referendum and shall become effective upon filing with the Secretary of State as provided by Section 27 of the Municipal Home Rule Law of the State of New York and publication in the official newspapers of the County of Warren.