

Warren County Board of Supervisors

ORGANIZATION MEETING
THURSDAY JANUARY 6, 2021



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.”

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, at 11:02 a.m.

Board called to order by Amanda Allen, *Clerk of the Board of Supervisors*.

Salute to the flag was led by Supervisor Conover.

Roll was called and the following members were present:

Bolton	-Ronald F. Conover
Chester	-Craig R. Leggett
City of Glens Falls	
Ward 1	-John Diamond
Ward 2	-Peter V. McDevitt
Ward 3	-Claudia K. Braymer
Ward 4	-Daniel F. Bruno
Ward 5	-Bennett F. Driscoll Jr.
Hague	-Edna A. Frasier
Horicon	-Michael Geraci, Sr.
Johnsburg	-Andrea Hogan
Lake George	-Dennis Dickinson
Lake Luzerne	-Eugene J. Merlino
Queensbury	-John F. Strough
	-Michael Wild
	-Brad Magowan
	-Douglas Beaty
	-Rachel E. Seeber
Stony Creek	-Frank E. Thomas
Thurman	-Debra Runyon
Warrensburg	-Kevin B. Geraghty

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci Sr., Merlino,

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Strough, Wild, Beaty, Magowan, Thomas, Runyon, and Geraghty were present at the meeting, while Supervisors Hogan and Seeber attended remotely.

Prior to commencing the Agenda review, Supervisor Driscoll requested a moment of silence in recognition of the Warren County residents who had passed away as a result of COVID-19 in 2021 and the first few days of 2022, as well as the one year anniversary of the insurrection that occurred in Washington D.C.

Mrs. Allen advised the first order of business would be for those Supervisors commencing a new term of Office for 2022 to subscribe to the Constitutional Oath of Office.

Supreme Court Judge Auffredou administered the Oath of Office for the members of the Board of Supervisors, following which a round of applause was given.

Mrs. Allen advised the next order of business would be the selection of a Board Chair for 2022. She advised that any Board Member could be nominated for the Chair and a second to a nomination was not required. She added any person nominated could decline the nomination if they so choose. She informed the floor was now open to nominations for the Chair.

Supervisor Conover nominated Supervisor Geraghty and he outlined all of the reasons he believed Supervisor Geraghty was the appropriate choice to Chair the Board in 2022 which included his prior experience as Chair of the Board, Acting County Administrator and Budget Officer.

Prior to announcing her nomination for Chair, Supervisor Braymer welcomed Bill Collins, *Mayor, City of Glens Falls*, to the meeting and wished him well on his first term as Mayor. She proceeded to nominate Supervisor Diamond and listed the reasons she felt he was qualified for the position which included his distinguished career as the former Mayor for the City of Glens Falls and was well respected by all. Supervisor Diamond stated his appreciation for the nomination, but apprised he was declining and then proceeded to state his reasons why.

Supervisor Bruno nominated Supervisor Magowan for the Chair, outlining the attributes he felt qualified Supervisor Magowan for the position, which involved his willingness to work with everyone regardless of their party affiliation.

Supervisor Magowan accepted the nomination and spoke regarding the basis for why he felt he was qualified for and would do a good job serving as the Chair of the Board in 2022, which included his desire to unite the Board.

Mrs. Allen offered Mr. Geraghty the opportunity to speak in acceptance of his nomination, but the offer was declined.

Mrs. Allen then once again called for any other nominations for Chair; there being none, Mrs. Allen advised they would proceed to a vote, which would be taken in a roll call fashion, with each Supervisor indicating their choice when their name was called. She clarified the nominees for Chair were Supervisor Geraghty or Supervisor Magowan. Following the vote it was determined Supervisor Geraghty would serve as Chair, receiving 578 votes (*Supervisors Conover, Leggett, McDevitt, Driscoll, Frasier, Geraci Sr., Dickinson, Merlino, Strough, Wild, Thomas, Runyon and Geraghty*) while Supervisor Magowan received 474 votes (*Supervisors Diamond, Braymer, Bruno, Hogan, Beaty, Magowan and Seeber*).

Chairman Geraghty subscribed to the Constitutional Oath, as administered by Judge Auffredou,

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following which a round of applause was given.

Chairman Geraghty stated his appreciation for being selected as Chair of the Board for 2022, indicating he would work hard to unify the Board. He thanked the prior Chair, Supervisor Seeber, for the efforts she put forth leading the Board during 2021.

Proceeding with the agenda review, Chairman Geraghty called for the reading of resolutions. Mrs. Allen announced proposed Resolution Nos. 1-15 were distributed to the Board members yesterday which met the requirements of the Open Meetings Law and were considered to be on the floor. She stated there were two proposed Floor Resolutions before them, the first of which was to Waive the Standing Rule of the Board requiring that all resolutions be approved through the established Committee structure in advance of a Board meeting and the other concerned amending the County Budget for various entities within the Public Health Division that the County Administrator could provide more details on. Ryan Moore, *County Administrator*, spoke regarding proposed Floor Resolution No. 2 which concerned two grants for the Public Health Division, providing a thorough explanation.

Motion was made by Supervisor McDevitt, seconded by Supervisor Conover and carried unanimously to waive the Standing Rule of the Board relating to the requirements that all resolutions be approved through the established Committee structure in advance of a Board meeting in order to entertain a resolution amending the Warren County Budget for 2022. Mrs. Allen announced proposed Floor Resolution No. 1 would now be known as proposed Resolution No. 16.

Motion was made by Supervisor Dickinson, seconded by Supervisor Merlino and carried unanimously to amend the County Budget for 2022 for various departments within Warren County. Mrs. Allen advised proposed Floor Resolution No. 2 would now be known as proposed Floor Resolution No. 17.

Chairman Geraghty called for discussion on resolutions and requests for roll call votes and the following took place:

A lengthy discussion occurred regarding proposed Resolution No. 1, *Adopting the Rules of the Board of Supervisors*, during which several Supervisors suggested possible amendments to the Rules of the Board including deleting the Executive Committee, adding an additional Board Meeting to the schedule each month, recreating the Legislative & Rules Committee to discuss some of the ideas and concepts outlined in a letter written by Supervisor Strough and to have the laws concerning a quorum mirror those of Counties, as well as State. Motion was made by Supervisor Hogan and seconded by Supervisor Beaty to table proposed Resolution No. 1 of 2022 and refer it to the Governmental Operations & Advocacy Committee for further discussion on the proposed amendments. Following further discussion, Chairman Geraghty called the question and the motion to table proposed Resolution No. 1, *Adopting the Rules of the Board of Supervisors*, was carried unanimously.

Supervisor Seeber apprised of a provision within County Law Section 151 allowed the Board the opportunity to select a Vice Chair of the Board, and she made a motion to nominate Supervisor Magowan as the Vice-Chair. Upon the request of Chairman Geraghty, Mr. Elmen explained that while County Law did allow the Board to select a Vice Chair, Warren County Local Law No. 1 of 1969 provided that the Finance Committee Chair would assume all of the duties and responsibilities of the Board Chair in the absence or inability of the Chair to act, essentially indicating that if the Board were to select a Vice Chair it would be in name only as all of the authority was placed with the Finance Committee Chair. A lengthy discussion ensued during which Supervisor Braymer seconded the motion to nominate Supervisor Magowan as the Vice-

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Chair of the Board, and a motion was made by Supervisor Conover and seconded by Supervisor Dickinson to table the matter pending further review. Upon Chairman Geraghty calling for a roll call vote on the motion to table, Supervisor Seeber called for point of order, indicating it was necessary to state what date that motion would return and the date of the Committee or Board Meeting it would be heard by. She noted if discussion was going to be limited, which she believed was a violation of Robert's Rules of Order in this particular instance, as well as based off of the Parliamentary training that was held, Chairman Geraghty should clarify when this matter would be reviewed either by Committee or at a Board Meeting. She added she was bringing this to light because according to the law they were required to decide on a Vice-Chair by February 1st. Chairman Geraghty asked Supervisor Conover if he would like to amend his motion to indicate which Committee he would like this matter to go before. Supervisor Seeber interjected her she had a point of order which was to be decided by the Chairman of the Board. Chairman Geraghty responded he would like the matter to be referred to the Governmental Operations & Advocacy Committee to be dealt with within the next thirty days. He asked Supervisors Conover and Dickinson if they were agreeable to amending their motion to table to indicate that the matter would be addressed by the Governmental Operations & Advocacy Committee within the next thirty days, and they both responded affirmatively. Supervisor Seeber requested clarification on the Chairman's ruling to her point of order and Chairman Geraghty requested the opinion of the County Attorney, and Mr. Elmen restated County Law No. 151 indicated that at the Organizational Meeting, or an adjourned meeting not later than February 1st, the Board shall select a Chairman and may select the Vice-Chair. Further discussion ensued following which Chairman Geraghty called the question and the motion to table was carried by majority vote with 569 votes in favor (*Supervisors Conover, Leggett, McDevitt, Frasier, Geraci Sr., Hogan, Dickinson, Merlino, Strough, Wild, Thomas, Runyon and Geraghty*), 391 against (*Supervisors Diamond, Braymer, Bruno, Beaty, Magowan and Seeber*) and 42 Absent (*Supervisor Driscoll*).

Motion was made by Supervisor Conover and seconded by Supervisor Leggett to amend Resolution No. 14, *Amending Tables of Organization and Warren County Salary and Compensation Plan for 2022*, to delete the section relating to de-funding the Chair of the Board position. A discussion ensued during which several Supervisors voiced their support of the proposed amendment while other Supervisors spoke against the removal of the de-funding of the Chair of the Board position from proposed Resolution No. 14. During the discussion Supervisor Beaty called for point of order, indicating the goal was for the Board members to remain civil to one another and act and speak in a courteous manner, and Chairman Geraghty concurred. Supervisor Braymer requested a roll call vote on the proposed amendment. Chairman Geraghty called the question and the motion to amend proposed Resolution No. 14 *Amending Tables of Organization and Warren County Salary and Compensation Plan for 2022*, to delete the section relating to de-funding the Chair of the Board position was carried by majority vote with 522 in favor (*Supervisors Conover, Leggett, McDevitt, Driscoll, Frasier, Geraci Sr., Dickinson, Merlino, Strough, Wild, Thomas and Runyon*) and 380 opposed (*Supervisors Diamond, Braymer, Bruno, Beaty, Magowan and Seeber*) and 98 Abstain (*Supervisors Hogan and Geraghty*).

Voting on resolutions occurred; Resolution Nos. 1-17 were approved as presented, with the exception of Resolution No. 1 which was tabled and Resolution No. 14 which was amended from the floor.

Supervisor Leggett exited the meeting during the roll call votes and returned at 12:38 p.m.

Chairman Geraghty offered privilege of the floor and the following spoke:

Supervisor Beaty asked Mr. Elmen, for purposes of clarification, what process would be followed if the Chairman of the Board was involved in a lawsuit specifically naming him, as he was

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concerned that there was an ongoing \$1.5 million lawsuit against the County which specifically named the Chairman of the Board and the former County Attorney. Supervisor Braymer called for point of order, requesting that the Board enter into an executive session if pending litigation would be discussed. Motion was made by Supervisor Braymer and seconded by Supervisor Diamond to enter into an executive session pursuant to Section 105(1)(d) of the Public Officer's Law, but the motion failed with only 38 votes in favor (*Supervisor Diamond*); 772 opposed (*Supervisors Conover, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci Sr., Hogan, Dickinson, Merlino, Strough, Beaty, Magowan, Seeber, Thomas and Runyon*); 145 abstaining (*Supervisors Wild and Geraghty*); and 47 Absent (*Supervisor Leggett*). Chairman Geraghty asked Mr. Elmen to respond to Supervisor Beaty's question; Mr. Elmen indicated he had no response given that the Chairman had only been appointed today. He added he was unaware of any issues with any aspect of that litigation that was currently pending that would cause an immediate issue; however, he noted, if an when a conflict arose he would advise the Board accordingly. A brief discussion ensued.

Supervisor Driscoll commended the Town Supervisors who were members of the Board for their efforts in 2021 pertaining to COVID-19. He spoke regarding the record high positive cases in the County today and how the top priority for the Board going forward should be on the pandemic. He recognized the Dake family, who owned the Stewart's stores, for offering their stores as locations to give away free at home COVID-19 tests to the public today.

Upon the request of Supervisor Braymer, Ginelle Jones, *Director, Public Health/Patient Services*, spoke regarding the new quarantine requirements that were suggested by the CDC (*Center for Disease Control*) and adopted by the NYS DOH (*New York State Department of Health*) when an individual tested positive for COVID-19 which included isolations which were for those who were sick and tested positive and quarantines were for those who had been exposed. She noted five days of quarantine was required in addition to five days of wearing a tight fitted face mask once out of the quarantine. She said this meant individuals were still potentially infectious for ten days. In regard to the vaccination status, Ms. Jones informed individuals who were vaccinated over six months ago and were eligible for a booster shot, but had not received one from over two weeks from their exposure qualified for quarantine because they were at risk for testing positive. She indicated she was expecting additional guidance regarding the changes this coming Monday.

Supervisor Bruno spoke about his research with regard to face masks and the lack of a standards for approved versions, as well as how he believed the majority were inefficient in preventing the spread of COVID-19.

Chairman Geraghty called for announcements; there being none, he declared the meeting at 12:50 p.m.