

Warren County Board of Supervisors

BOARD MEETING
THURSDAY, APRIL 14, 2022



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 Board members were physically present.

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 10:03 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Bruno.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Merlino, Strough, Wild, Seeber, Beaty, Thomas and Geraghty. Absent - 5 Supervisors Geraci, Hogan, Dickinson, Magowan and Runyon. All Supervisors in attendance were physically present.

Motion was made by Supervisor Bruno, seconded by Supervisor Frasier and carried unanimously to approve the minutes of the March 31, 2022 Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Dianne Palermo.

During the presentation of the Employee of the Month Award, Supervisor Geraci entered the meeting at 10:05 a.m.

Chairman Geraghty offered privilege of the floor, but there was no one wishing to speak.

Report by the Chairman of the Board was given.

Report by Committee Chairs were given, during which Chairman Geraghty provided every Supervisor with the opportunity to speak regardless of whether they Chaired a Committee.

Report by the County Administrator was given.

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Report by the County Attorney was given during which Larry Elmen, *County Attorney*, spoke regarding the modification to the Open Meetings Law which was handled as part of the State Budget and indicated for a period of sixty days from April 30th the County was permitted to operate under the same rules that they had been operating under as a result of the State of Emergency; however, he noted, these rules would be going away. He informed the modifications related to the County making a conscious decision regarding what use video conferencing would have for the Board and potentially its Committees at the end of this sixty day period which began on April 9, 2022. He explained this meant they could return to the rules that were in place prior to the pandemic with each municipality having the ability to make a determination what form video conferencing may play in the future. He noted these new rules would require a physical quorum to be present; however, he noted, nothing was ever that straightforward and there would be exceptions that he would highlight and provide a brief to the Supervisors on as they moved forward to make a decision on whether the County wanted to take any action regarding access to meetings by members.

Mr. Elmen inquired whether the Board would like to hold an executive session to discuss in more detail the cases involving the Child Victim Act or defer this matter until the May 5th Board Meeting. He said the three cases that would be addressed were John David Smith, Joshua Rouse and Michael Easterbrooks. Chairman Geraghty queried whether the pleasure of the Board was to enter into an executive session or move forward with the agenda review and the consensus of the Board was to continue on with the Agenda review.

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

Reports from:

1. Warren Jury Board - 2021 Annual Report (*emailed to Board 04/13/22*)
2. Lake Champlain Lake George Regional Planning Board - 2021 Summary Annual Report
3. Southern Adirondack Library System - 2021 Annual Report (*emailed to Board 04/13/22*)
4. Warren County Clerk - 2021 Annual Report (*emailed to Board 04/13/22*)

Discussion on resolutions ensued, as follows:

Supervisors Strough, Beaty, Braymer and McDevitt voiced their concerns with proposed Resolution No. 189, *Authorizing a 6 Month Pilot Program to Allow Class 1 and Class 2 Electric Bike/E-scooter Usage on the Warren County Bikeway*, following which a motion was made by Mr. Wild and seconded by Mr. Conover to table proposed Resolution No. 189 until the May 5th Board Meeting.

Further discussion ensued during which Supervisor Seeber requested a roll call vote on the motion to table. Chairman Geraghty called the question and the motion to table was carried by majority vote, with 635 votes in favor (*Supervisors Bruno, Driscoll, Frasier, Geraci, Merlino, Strough, Wild, Beaty, Thomas, Conover, McDevitt, Braymer and Geraghty*) and 175 against (*Supervisors Seeber, Leggett and Diamond*) and 192 absent (*Supervisors Hogan, Dickinson, Magowan and Runyon*).

Supervisor Seeber spoke regarding proposed Resolution No. 172, *Authorizing Transfer of ARPA Funding to Southern Adirondack Child Care Network*, advising she believed the proposed resolution should be amended to allow the funding being awarded to be used for not only family based child care providers, but also child care centers which there was also a demonstrated need for. Motion was made by Supervisor Seeber and seconded by Supervisor Braymer to amend proposed Resolution No. 172 as outlined above. Further discussion ensued following which Chairman Geraghty advised this would be handled by a roll call vote. He called the question and the motion to amend proposed Resolution No. 172, *Authorizing Transfer of ARPA Funding to Southern Adirondack Child Care Network*, failed to obtain the majority vote, with 373 votes in favor (*Supervisors Bruno, Seeber, Beaty, Thomas, Diamond, McDevitt and Braymer*), and 437 against (*Supervisors Driscoll, Frasier,*

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Geraci, Merlino, Strough, Wild, Conover, Leggett and Geraghty) and 192 Absent (Supervisors Hogan, Dickinson, Magowan and Runyon).

Supervisor Braymer questioned whether there was a typographical error in proposed Resolution No. 186, *Authorizing Adirondack Sports Complex to Make a One-time Application of 2021 Occupancy Tax Funds Towards the Facilities Premium Payments for Property and General Liability Insurance as an Eligible Expense*, as it indicated the funding was provided for softball tournaments that occurred in 2022, but she believed this related to them carrying over any unused funding they were provided in 2021. Mr. Elmen responded he believed this was a typographical error.

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

Amanda Allen, *Clerk of the Board*, advised Resolution Nos. 170-205 were distributed to the Board and posted to the Warren County website on Monday April 11th, which met the distribution deadline specified in the Rules of the Board. She stated proclamations were distributed and posted with the resolutions, copies were included in the folders. The Proclamations were:

- PR13 - Sgt. Howard Belden Day
- PR14 - Crime Victims' Rights Week
- PR15 - Sexual Assault Awareness Month
- PR16 - National Public Safety Telecommunicators Week
- PR17 - Mental Health Awareness Month
- PR18 - Older Americans Month
- PR19 - Donate Life Month
- PR20 - Law Day
- PR21 - Gold Star Mothers Day

Supervisor Seeber requested a roll call vote on proposed Resolution No. 188, *Amending Resolution No. 98 of 2022, "Authorizing the Appropriation of Funds from Deferred Revenue-Gaslight Village Parking Fees to Charles R. Wood Park, Repairs and Maint-Bldg/Property; Authorizing Reimbursement to the Village of Lake George for Various Expenses; and Amending 2022 Warren County Budget," to Remove Language Authorizing a Budget Amendment.*

Supervisor Strough requested a roll call vote on proposed Resolution No. 187, *Amending Resolution No. 229 of 2021 and Agreement with Adirondack Cycling Advocates, Inc. to Authorize Reimbursement for Tourism-related Sponsorships*, noting he was a member of the Board for the Adirondack Cycling Advocates, Inc.

Supervisor Beaty requested a roll call vote on proposed Resolution No. 199, *Accepting and Expressing Appreciation to the Warren Tobacco Asset Securitization Corporation for the Donation of Monies.*

Voting on resolutions occurred; Resolution Nos. 170-205 were approved as presented, with the exception of Resolution No. 189 which was tabled until the May 5th Board Meeting.

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

Supervisor Geraci extended his appreciation on behalf of the residents of the Town of Horicon to several departments within Warren County whom he had the pleasure of working with over the past few weeks, all of which were very helpful.

Chairman Geraghty wished everyone a Happy Easter.

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There being no further business to come before the Board of Supervisors, on motion made by Supervisor Merlino, seconded by Supervisor Strough and carried unanimously, Chairman Geraghty adjourned the Board Meeting at 11:38 a.m.