

Warren County Board of Supervisors

BOARD MEETING
FRIDAY OCTOBER 21, 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.”

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 10:01 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Thomas.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Thomas, Runyon and Geraghty - 19. Supervisor Seeber absent - 1.

Motion was made by Supervisor Driscoll, seconded by Supervisor Geraci and carried by a unanimous vote of those present (*Supervisors Seeber absent*), with Supervisor Hogan abstaining, to approve the minutes of the October 6th Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Amanda Beck, *Junior Planner, Planning & Community Development*.

The following individual was recognized for completing their Leadership Badge Training in Senior Management which was offered to Department Heads and individuals in Senior Management positions: Kristina Neel, *Child Protective Services Supervisor, Department of Social Services*.

Proceeding with the Agenda review, Chair declared the Public Hearing on lease agreement between Warren County and Schermerhorn Aviation, LLC for construction of a 3-Bay T-Hangar at the Warren County (Floyd Bennett Memorial) Airport open at 10:07 a.m. and requested the Clerk of the Board read aloud the Notice of Public Hearing. Chair called for public comment, but there was no one wishing to speak.

Chairman Geraghty apprised he would leave the Public Hearing open and proceeded with the agenda

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review.

Privilege of the floor and public comment was offered.

Tracy Frisch, *Representing Adirondack Compost Education Council, Inc.*, spoke in favor of proposed Resolution No. 541, *Accepting Proposal and Authorizing Agreement with GHD Consulting Services, Inc. for Warren County Organics Management Plan (WC 52-22)*.

Report by the Chairman of the Board was given.

Reports by Committee Chairs were given.

Report by the Acting County Administrator was given.

Report of County Attorney was given during which Larry Elmen, *County Attorney*, requested an executive session pursuant to Public Officer's Law Section 108(3) to discuss any matter made confidential by Federal or State Law, specifically to allow the County Attorney to provide the Board with attorney/client communications regarding contract terms with Hood Communications which was also one of the resolutions before the Board today. He indicated the second matter he would like to discuss was pursuant to Section 105(1)(d) of the Public Officer's Law concerning Michael Easterbrooks v. Schenectady County and others to include Warren County.

Supervisor Braymer requested that they also discuss the foreclosure action in executive session.

The necessary motion was made by Supervisor Braymer, seconded by Supervisor Bruno and carried by a unanimous vote of those present (*Supervisor Seeber absent*) to enter into an executive session pursuant to Sections 108(3) and 105(1)(d) of the Public Officer's Law as outlined above.

Executive session was held from 10:40 a.m. until 11:44 a.m.

Upon reconvening, Chairman Geraghty requested Mr. Elmen provide a synopsis of what occurred in executive session. Mr. Elmen apprised no action was taken during the executive nor were any other matters addressed other than what was previously stated.

Chairman Geraghty once again called for Public comment on the Public Hearing on the lease agreement between Warren County and Schermerhorn Aviation, LLC for construction of a 3-Bay T-Hangar at the Warren County (Floyd Bennett Memorial) Airport; there being no response he closed the Public Hearing at 11:45 a.m.

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

Reports from:

1. Drescher & Malecki, CPA - County of Warren, Basic Financial Statements, Required Supplementary Information, Supplementary Information and Federal Awards Information for the Year Ended December 31, 2021
2. Capital District Regional Off-Track Betting Corp. - Financial Reports dated May 31, 2022, June 30, 2022 and July 31, 2022.

Other:

1. Jefferson County Board of Legislators - Resolution No. 270 of 2022, *Affirming Support for the Second Amendment to the United States Constitution and Opposing the Recently enacted 'Concealed Carry Improvement Act' of 2022*.
2. Washington County Board of Supervisors - Resolution No. 221 of 2022, *Support Adirondack*

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- Community College Capital Improvement Plan for 2023-2024 in the Total Amount of \$9,851,095.*
3. Washington County Board of Supervisors - Resolution No. 223 of 2022, *To Approve Contract Between Adirondack Community College and its Faculty Association for Years 2020 through 2025.*
 4. Washington County Board of Supervisors - Resolution No. 224 of 2022, *To Approve Contract Between Adirondack Community College and the Educational Support Personnel Association 2021-2025.*
 5. Washington County Board of Supervisors - Resolution No. 225 of 2022, *Appoint Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation.*

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

Amanda Allen, *Clerk of the Board*, advised Resolution Nos. 520-574 were distributed to the Board and posted to the Warren County website on Tuesday, October 18th, along with five Proclamations, adding this distribution met the deadline specified in the Rules of the Board. The five Proclamations were:

- PR39 - Breast Cancer Awareness Month
- PR40 - Fire Protection Week
- PR41 - Youth Substance Awareness Month
- PR42 - Green Light For Military Service County
- PR43 - National Disability Employment Awareness Month

Mrs. Allen indicated there were two Floor Resolutions which were not approved and would require motions to bring them to the floor to be entertained:

Motion was made by Supervisor Wild, seconded by Supervisor Magowan and carried by a unanimous vote of those present (*Supervisor Seeber absent*), with Supervisors Braymer, Hogan and Beaty voting in opposition, to Waive the Standing Rule of the Board relating to the requirement that all Resolutions be distributed to the Board no later than the Tuesday before the Board Meeting in order to entertain a Resolution further altering the Standing Rules of the Board of Supervisors, as adopted by Resolution No. 32 of 2022 and amended by Resolution No. 68 of 2022, to eliminate language imposing a second monthly meeting of the Board of Supervisors. Mrs. Allen announced proposed Floor Resolution No. 1 would now be referred to as proposed Resolution No. 575.

Mrs. Allen advised a motion was required to bring proposed Floor Resolution No. 2 to the floor. The necessary motion was made by Supervisor Strough and seconded by Supervisor Wild to bring proposed Floor Resolution No. 2, *Resolution Further Altering the Standing Rules of the Board of Supervisors, as Adopted by Resolution No. 32 of 2022 and Amended by Resolution No. 68 of 2022, to Eliminate Language Imposing a Second Monthly Meeting of the Board of Supervisors* to the floor.

A brief discussion ensued during which Mrs. Allen clarified the proposed Floor resolution had previously been discussed at a meeting of the Legislative, Rules & Governmental Operations Committee and a resolution was presented at the September 16th Board Meeting, but it failed due to the lack of majority vote required. She added she had received a request to include it as a Floor resolution for this Board Meeting. Supervisor Braymer questioned whether the proposed resolution also eliminated the two thirds majority vote required when a position was created and Mrs. Allen replied in the negative.

Chairman Geraghty called the question and the motion to bring proposed Floor Resolution No. 2 to the floor was carried by a unanimous vote of those present (*Supervisor Seeber absent*). Mrs. Allen advised proposed Floor Resolution No. 2 would now be referred to as proposed Resolution No. 576

Mrs. Allen inquired whether anyone would object to combining the roll call votes on proposed Resolution Nos. 561-569 and no one objected.

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Discussion and public comment on proposed resolutions was called for.

Supervisor Strough requested a roll call vote on proposed Resolution No. 535, *Resolution Requiring that all Warren County Employees Complete an Annual Diversity, Equality and Inclusion Training*, apprising while he was supportive of, but he had some questions regarding the training. He added he believed this matter should have been brought before the Legislative, Rules & Governmental Operations Committee for discussion. He also requested a roll call vote on proposed Resolution No. 542, *Amending Resolution No. 12 of 2022, Reappointing Members to the ARPA Advisory Committee, to Update Committee Membership*.

With regard to proposed Resolution No. 535, *Resolution Requiring that all Warren County Employees Complete an Annual Diversity, Equality and Inclusion Training*, it was noted there was a typographical error with regard to the word Equality, as it should be Equity which would be addressed through a Clerk's correction.

A brief discussion occurred regarding proposed Resolution No. 542, *Reappointing Members to the ARPA Advisory Committee, to Update Committee Membership*, during which Supervisor Wild voiced his opposition and Supervisors Beaty and Braymer voiced their support of the proposed Resolution.

A discussion ensued regarding proposed Resolution No. 535, *Resolution Requiring that all Warren County Employees Complete an Annual Diversity, Equity and Inclusion Training*, during which Supervisor McDevitt indicated he felt it would be more appropriate to encourage participating in the training rather than making it a mandate and Supervisor Hogan voiced her reasons why she felt the training should be mandated.

Voting on resolutions occurred; Resolution Nos. 520-576 were approved as presented.

Privilege of the floor and public comment was called for.

Supervisor Braymer suggested going forward that occupancy tax funding be used to cover the cost of reimbursing municipalities who provided staff to support the County with the Adirondack Balloon Festival event. With regard to the amendment to the Rules of the Board that was just approved which eliminated the second monthly Board Meeting, Supervisor Braymer noted a number of important matters had been addressed at these meetings since instituting the second Board Meeting earlier this year and she questioned whether the majority of the weighted vote of Board was required in order to request that a Special Board Meeting be scheduled and Mrs. Allen replied she believed at the Board level the weighted vote of the Board was required, but she would defer to Mr. Elmen for an answer Mr. Elmen indicated he would research the matter and provide an answer to the full Board.

In regard to proposed Resolution No, 570. *Accepting Proposal and Authorizing Agreement with Hood Communications, Inc. for Tourism Revitalization and Rejuvenation Services (WC 33-22)*, Supervisor Merlino clarified for the individuals present at the meeting representing Hood Communications although the resolution was not discussed, it had been adopted at today's meeting.

Supervisor Driscoll spoke regarding the Proclamation approved at the September 16th Board Meeting Proclaiming October 2022 to be Domestic Violence Awareness Month in Warren County, apprising he had placed some flyers regarding the Domestic Violence Services offered by Catholic Charities in the Supervisors mailboxes.

Supervisor Braymer announced the Opening Ceremony for the Special Olympics was occurring

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today and she encouraged all to attend. Chairman Geraghty added Supervisor Magowan would be attending the event on behalf of the Board of Supervisors, apprising the games would be held at various venues throughout the area beginning tomorrow morning.

Supervisor Hogan spoke regarding proposed Resolution No. 535, *Resolution Requiring that all Warren County Employees Complete an Annual Diversity, Equity and Inclusion Training*, thanking those who voted in favor of the proposed resolution. She apprised in response to the issue of inadvertently calling Supervisors by the wrong name she felt a solution could be going forward to refer to one another as Supervisor or their honorific titles, such as doctor or attorney, as this would even the playing field.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Frasier, seconded by Supervisor Geraci and carried by a unanimous vote of those present (*Supervisor Seeber absent*), Chairman Geraghty adjourned the Board Meeting at 12:13 p.m.