

Warren County Board of Supervisors

ORGANIZATION MEETING
WEDNESDAY JANUARY 4, 2023



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 11:04 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 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
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
<i>City of Glens Falls Ward 1 Supervisor Jack Diamond - Absent</i>	

Mrs. Allen advised the first order of business would be the selection of a Board Chair for 2023. She stated that any Board Member could be nominated for the Chair and a second to a nomination was not required. She apprised any person nominated could decline the nomination if they so choose. She added when a nomination was made members of the Board could speak in favor of a candidate; however, she noted, they were required to exercise caution to avoid any personal criticisms regarding other nominees. She informed the floor was now open to nominations for the Chair.

Supervisor Braymer stated prior to taking nominations for the Chair she would like to discuss the redistricting adopted by the City of Glens Falls which impacted the Wards in the City and required addressing with regard to the weighted votes. She apprised she did not believe they should be voting on the Chair position or any resolutions until this was addressed to ensure the City of Glens Falls'

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weighted votes were accurately accounted for; however, she noted, she was advised an amendment to the Local Law pertaining to the weighted votes on the Board was required before anything could be put into place. She requested a special Board Meeting be scheduled to hold a Public Hearing regarding the proposed Local Law prior to the January 20th Board Meeting. Larry Elmen, *County Attorney*, questioned when the Local Law in the City of Glens Falls regarding the redistricting of the Wards became effective, as he was unaware of the County receiving any request or notification from the City of Glens Falls regarding the modification of their Wards through a Local Law. Supervisor Braymer responded according to the Mayor for the City of Glens Falls, this Local Law was adopted by the voters in the November 2022 election and was effective on January 1, 2023. Mr. Elmen apprised he would request a copy of the Local Law from the City of Glens Falls to allow his Office to review it and determine what the proper process was, as the County's weighted vote was based on the United States Census figures. He added ancillary issues could also be brought forward, as this could potentially cause a recalculation of the weighted votes for the entire Board. He recommended holding off on taking action until he had time to review the City's Local Law to determine how to move forward with addressing this matter.

A discussion ensued following which Supervisor Braymer made a motion to table the appointment of a Chair of the Board until the matter regarding the weighted votes for the City of Glens Falls was addressed. Mrs. Allen interjected a Chair was required to acknowledge and accept any motions, apprising her purpose was to provide guidance in the selection of a Chair. She once again called for nominations for Chair.

Supervisor Hogan nominated Supervisor Braymer.

Supervisor Merlino nominated Supervisor Geraghty.

Supervisor Runyon nominated Supervisor Leggett.

Supervisor Beaty indicated he would be abstaining from voting, as he believed it was illegal for the Board members to vote on any matters since the citizens of the City of Glens Falls were not being fairly represented.

Supervisor Seeber advised as per the Rules of the Board and Robert's Rules of Order discussion was permitted prior to a vote taking place and she inquired whether this was a correct assumption and Mrs. Allen replied a Supervisor nominating another Supervisor as Chair was permitted to speak to the attributes of a nominee. Supervisor Seeber requested clarification as to whether this meant she could only speak if she nominated someone and Mrs. Allen replied in the negative, indicating anyone could speak in favor of a nominee, but they were not permitted to speak negatively about them. A brief discussion ensued during which Supervisor Seeber advised she would be abstaining from voting on any matters due to the misrepresentation occurring for the citizens of the City of Glens Falls on the Board.

Supervisor Leggett stated while he was honored to be nominated, he was declining the nomination.

Supervisor Braymer noted a fellow Supervisor who would have voted in favor of her being appointed Chair was unable to attend the meeting due to testing positive for COVID, adding it was unfortunate they had voted down the Local Law that would have permitted remote attendance in circumstances such as this. She proceeded to speak regarding the basis for why she believed she was qualified for and would do a good job serving as the Chair of the Board in 2023 which included looking out for the best interests of the County residents.

Mrs. Allen once again called for any other nominations for Chair; there being none, she advised they

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would proceed to a vote, which would be taken in a roll call fashion with each Supervisor indicating their choice for Chair when their name was called. She clarified the nominees for Chair were Supervisor Braymer or Supervisor Geraghty. Following the vote it was determined Supervisor Geraghty would serve as Chair, receiving 570 votes in favor (*Supervisors Conover, Leggett, McDevitt, Driscoll, Frasier, Geraci, Dickinson, Merlino, Strough, Wild, Thomas, Runyon and Geraghty*) while Supervisor Braymer received 90 votes in favor (*Supervisors Braymer and Hogan*).

Supervisor Magowan exited the meeting at 11:25 a.m.

Chairman Geraghty subscribed to the Constitutional Oath, as administered by The Honorable Judge Martin Auffredou, *Warren County Supreme Court Justice*.

Chairman Geraghty voiced his appreciation for being selected as Chair of the Board for 2023, indicating he would continue to work with everyone on the Board regardless of their political affiliation.

Continuing with the agenda review, Chairman Geraghty called for privilege of the floor/public comment, but there was no one wishing to speak.

Proceeding with the agenda review, Chairman Geraghty called for the reading of resolutions. Mrs. Allen announced proposed Resolution Nos. 1-6 were distributed to the Board members on Friday, December 30, 2022 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 Table of Organization and Salary Schedule for 2023 to create a the new position of Tourism Coordinator - Temporary, effective January 5, 2023.

Motion was made by Supervisor Leggett and seconded by Supervisor McDevitt 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 Table of Organization and Salary Schedule for 2023. Supervisor Seeber requested a roll call vote on the motion to Waive the Rules of the Board. Chairman Geraghty called the question and the motion to Waive the Rules of the Board as outlined above was carried by a majority vote of those present, with 696 voting in favor (*Supervisors Conover, Leggett, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci, Hogan, Dickinson, Merlino, Strough, Wild, Thomas, Runyon and Geraghty*); 178 abstaining (*Supervisors Seeber and Beaty*); and 128 absent (*Supervisors Diamond and Magowan*). Mrs. Allen announced proposed Floor Resolution No. 1 would now be known as proposed Resolution No. 7.

Motion was made by Supervisor Runyon and seconded by Supervisor Dickinson to bring proposed Floor Resolution No. 2 to the floor concerning amending the Table of Organization and Salary Schedule for 2023 to create the new position of Tourism Coordinator - Temporary, effective January 5, 2023. Supervisor Seeber requested a roll call vote on the motion. Chairman Geraghty called the question and the motion to bring proposed Floor Resolution No. 2 as outlined above to the floor was carried by a majority vote of those present, with 663 votes in favor (*Supervisors Conover, Leggett, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci, Dickinson, Merlino, Strough, Wild, Thomas, Runyon and Geraghty*); 33 against (*Supervisor Hogan*); 178 abstaining (*Supervisors Seeber and Beaty*); and 128 absent (*Supervisors Diamond and Magowan*). Mrs. Allen advised proposed Floor Resolution No. 2 would now be known as proposed Floor Resolution No. 8 and would be subject to a roll call vote requiring a two-thirds majority to be adopted.

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

Motion was made by Supervisor Braymer to schedule a Special Board Meeting before the January 20th Board Meeting to introduce a Local Law amending the prior Local Law to rectify the weighted votes for the City of Glens Falls.

Supervisor Dickinson exited the meeting at 11:49 a.m.

Discussion ensued regarding the motion during which Supervisor Leggett seconded the motion; following discussion, Supervisors Braymer and Leggett agreed to amend their motions to schedule the meeting on February 3rd. Chairman Geraghty called the question and the motion as amended was carried by the majority vote of those present (*Supervisors Diamond, Dickinson and Magowan absent*), with Supervisors Seeber and Beaty abstaining.

Supervisor Seeber requested roll call votes on proposed Resolution Nos. 1-8.

Supervisor Dickinson re-entered the meeting at 11:52 a.m.

Voting on resolutions occurred; Resolution Nos. 1-8 were approved as presented, with the exception of proposed Resolution No. 8 which failed to obtain the two thirds majority vote required.

Supervisor Hogan exited the meeting during the roll call votes at 11:55 a.m. and re-entered the meeting at 11:57 a.m.

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

Chairman Geraghty called for announcements.

Motion was made by Supervisor Hogan to enter into an executive session for the purpose of discussing personnel matters. Mr. Elmen asked for clarification if the intent of the executive session was to address matters that may be leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person and Supervisor Hogan replied affirmatively. Supervisor Braymer seconded the motion. Chairman Geraghty requested a roll call vote on the motion to enter into an executive session pursuant to Section 105(f) of Public Officer's Law as outlined above. He called the question and the motion to enter into an executive session failed due to a lack of majority vote, with 368 voting in favor (*Supervisors McDevitt, Braymer, Bruno, Driscoll, Hogan, Wild and Geraghty*); 328 opposed (*Supervisors Conover, Leggett, Frasier, Geraci, Dickinson, Merlino, Strough, Thomas and Runyon*); 178 abstaining (*Supervisors Seeber and Beaty*); and 128 absent (*Supervisors Diamond and Magowan*).

Supervisor Seeber spoke regarding how the rules and policies pertaining to the Board of Supervisors should not be used or weaponized to harm, harass, annoy or alarm their fellow members of the Board.

Supervisor Hogan voiced her disappointment in those who voted against entering into an executive session, as she believed this demonstrated their support of continuing to belittle and harass other members of the Board which created a hostile work environment. A discussion ensued.

Supervisor Braymer apprised if she had been appointed as Chair of the Board one of her main

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priorities would have been attempting to obtain more respect amongst the Board for one another and to stop these personal attacks. She implored with the Board members to halt the personal attacks on each other and their families and have decorum amongst the Board.

Supervisor Seeber apprised for the record that she and her colleagues that had already spoken did not wish to have any alarming, stalking harassing or annoying behavior and should this occur it should immediately be ceased. She noted if she had voted today she would have requested a censure for the violations, more specifically pertaining to a Supervisor from the City of Glens Falls. She noted if they entered into an executive session clear evidence could be presented regarding this violation, but this had been voted down.

Supervisor Hogan exited the meeting at 12:07 p.m.

Supervisor McDevitt addressed Supervisor Seeber with regard to her comments; Supervisor Seeber called for point of order, indicating all communication was to be directed through the Chair of the Board according to the Rules of the Board and Robert's Rules of Order. Chairman Geraghty asked Supervisor McDevitt if he wished to speak and Supervisor McDevitt replied affirmatively. Supervisor McDevitt advised following a previous Chairs leadership of the Board, thirteen Supervisors voted to make a significant change. A brief discussion ensued during which Chairman Geraghty advised he would have the County Administrator investigate the matter regarding an email from a Supervisor that was shared with a member of the public by another Supervisor.

Supervisor Braymer interjected that the Chair had already been asked to investigate this occurrence by Supervisor Hogan, as they were notified by the County Attorney they were not permitted to share emails amongst one another. Chairman Geraghty restated the matter would be investigated and brought to a conclusion.

Supervisor Dickinson exited the meeting at 12:08 p.m.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Conover, seconded by Supervisor Geraci and carried by a majority vote of those present (*Supervisors Diamond, Hogan, Dickinson and Magowan absent*), with Supervisor Seeber abstaining, Chairman Geraghty adjourned the Board Meeting at 12:09 p.m.