

Warren County Board of Supervisors

**SPECIAL BOARD MEETING
FRIDAY FEBRUARY 3, 2022**



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>

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF SUPERVISORS OF WARREN COUNTY:

You are hereby notified that I, KEVIN B. GERAGHTY, Chairman of the Board of Supervisors of the County of Warren, pursuant to the power vested in me by Section (B) of the Rules of the Board of Supervisors, hereby call and convene a special meeting of the Board of Supervisors of Warren County to be held in the Supervisors' Room in the Warren County Municipal Center, Town of Queensbury, New York, on **FEBRUARY 3, 2023 AT 11:00 A.M.**, for the purpose of:

1. Holding a public hearing on proposed Local Law No. 2 of 2023, "A Local Law Amending and Updating Section 4 of Local Law No. 9 of 2021, 'A Local Law Reapportioning the Weighted Vote of the Warren County Board of Supervisors Amongst Twenty (20) Members'"; and
2. Any other such business which may appropriately be brought before the Board of Supervisors.

The Clerk of the Board of Supervisors is hereby directed to call for the meeting and give written notice to all members of the Board of Supervisors of such meeting.

Dated: January 13, 2023

KEVIN B. GERAGHTY, CHAIRMAN
Warren County Board of Supervisors

To the Members of the Board of Supervisors: At the direction of the Chairman of the Board, I am notifying you of the Special Meeting called for the time, place and purposes set forth above.

AMANDA ALLEN, CLERK
Warren County Board of Supervisors

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 11:01 a.m.

Mr. Kevin B. Geraghty presiding. Salute to the flag was led by Supervisor Diamond in Supervisor

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McDevitt's absence.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, Braymer, Bruno, Driscoll, Frasier, Geraci, Dickinson, Merlino, Strough, Wild, Beaty, Thomas and Geraghty; Absent -4 Supervisors McDevitt, Hogan Magowan and Runyon; and Vacant - 1.

Chairman Geraghty called for public comments.

Ann Marie Mason, *Director, Office of Emergency Services*, provided an overview of "ReadyWarrenCountyNY" app, which was now active, adding she had placed handouts regarding the application on the table for any of the Supervisors who wished to distribute them to their constituents.

Continuing with the Agenda review, Chair declared the Public Hearing open on Proposed Local Law No. 2 of 2023, Entitled "A Local Law Amending and Updating Section 4 of Local Law No. 9 of 2021, 'A Local Law Reapportioning the Weighted Vote of the Warren County Board of Supervisors Amongst Twenty (20) Members'", open at 11:08 a.m. and requested the Clerk of the Board read the Notice of Public Hearing aloud. Chair called for public comment; there being no one wishing to speak on Proposed Local Law No. 2 of 2023, Chairman Geraghty closed the Public Hearing at 11:09 a.m.

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

Amanda Allen, *Clerk of the Board*, apprised Resolution Nos. 50-51 were distributed to the Board and posted to the Warren County website on Tuesday, January 31st, which met the distribution deadline specified in the Rules of the Board.

Chairman Geraghty noted there were no communications.

Chairman Geraghty called for discussion and public comment on the proposed resolutions, as well as requests for roll call votes.

Supervisor Diamond requested a roll call vote on proposed Resolution No. 51, *Appointing Wayne Lamothe as Director of Planning & Community Development*.

A discussion ensued regarding proposed Resolution No. 51, *Appointing Wayne Lamothe as Director of Planning & Community Development*, following which motion was made by Supervisor Braymer and seconded by Supervisor Diamond to amend the proposed Resolution to indicate the term of appointment for the Director of Planning would end on June 30, 2023.

Supervisor Leggett suggested the term end on September 1st in case anything occurred to prevent the project from wrapping up by June 30th. Chairman Geraghty asked whether this was a motion to amend proposed Resolution No. 51, *Appointing Wayne Lamothe as Director of Planning & Community Development*, and Supervisor Leggett replied affirmatively. Supervisor Leggett indicated he would like the term to end on August 31, 2023. Chairman Geraghty inquired whether Supervisors Braymer and Diamond would like to amend their motion to change the termination date to August 31st and they both replied in the negative.

A roll call vote was taken on the motion to amend proposed Resolution No. 51, *Appointing Wayne Lamothe as Director of Planning & Community Development*, to indicate the term of the appointment would end on June 30, 2023. Chairman Geraghty called the question and the motion failed to obtain the majority vote, with 347 voting in favor (*Supervisors Braymer, Bruno, Driscoll, Geraci, Wild and Geraghty*); 279 opposed (*Supervisors Dickinson, Merlino, Strough,*

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Thomas, Conover and Leggett); 89 abstaining (*Supervisor Beaty*); 198 absent (*Supervisors McDevitt, Hogan, Magowan and Runyon*); and 89 Vacant.

Supervisor Leggett made a motion to amend proposed Resolution No. 51, *Appointing Wayne Lamothe as Director of Planning & Community Development*, to indicate the term of the appointment for the Director of Planning would end on August 31, 2023; Chairman Geraghty Supervisor Dickinson seconded the motion. A brief discussion ensued during which a roll call vote on the proposed amendment was taken. The motion was carried by a majority vote of those present, with 502 voting in favor (*Supervisors Driscoll, Frasier, Geraci, Dickinson, Merlino, Strough, Wild, Thomas, Conover and Leggett*); 124 voting in opposition (*Supervisors Braymer, Bruno and Diamond*); 89 abstaining (*Supervisor Beaty*); 198 absent (*Supervisors McDevitt, Hogan, Magowan and Runyon*); and 89 Vacant.

Chairman Geraghty called for a vote on resolutions, following which Resolution Nos. 50 and Resolution No. 51 (as amended) were adopted by a majority vote.

Chairman Geraghty called for public comments, but none were received.

Mike Swan, *County Treasurer*, provided an update on the items included in Governor Hochul's proposed State Budget that could negatively impact the County involving Assigned Counsel and Medicaid. He added there was also a proposal to indicate any excess money the County received on the sale of foreclosed properties would be allocated back to the property owner which not only would result in a loss of a revenue source for the County, but also the loss of a funding stream for the County's Environmental Testing Fund Reserve Account.

Supervisor Merlino asked Larry Elmen, *County Attorney*, to explain the rules regarding abstaining from voting and Mr. Elmen replied he would compile a legal opinion and distribute it to the full Board before the next Board Meeting.

Supervisor Diamond spoke regarding New York State Civil Service Law Section 211 which pertained to a waiver that was required in order for an employee within the New York State retirement system to return to work following their retirement and he asked whether one had been filed for the Director of Planning. Chairman Geraghty responded he was unsure, but said it would be looked into.

Chairman Geraghty announced a calendar had been distributed to the Board members which outlined the Committee meeting schedule for the remainder of the year, noting Committee Vice-Chairs would Chair the meetings in the absence of the Committee Chair.

Supervisor Beaty inquired if there were any updates on the Maxam lawsuit regarding the Majority and Minority leader positions and Mr. Elmen replied an update had been provided on this case when the Judge made a ruling in favor of the County several months ago.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Dickinson, seconded by Supervisor Merlino and carried by a unanimous vote of those present (*Supervisors McDevitt, Hogan, Magowan and Runyon absent*), Chairman Geraghty adjourned the Special Board Meeting at 11:23 a.m.