

# Warren County Board of Supervisors

BOARD MEETING  
FRIDAY, NOVEMBER 17, 2023



*Please note that the following is a summarization of the Board Meeting; the meeting, in its entirety, can be viewed using the following links on the Warren County website:*  
<https://warrencountyny.gov/mma>

Part 1 - <https://www.youtube.com/watch?v=M1bqVd49ivQ>

Part 2 - [https://www.youtube.com/watch?v=a\\_YwKwceMDU](https://www.youtube.com/watch?v=a_YwKwceMDU)

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 10:02 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Runyon.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Geraci, Smith, Merlino, Strough, Wild, Beaty, Magowan, Etu, Thomas, Runyon and Geraghty-18 Absent - 2 Supervisors Frasier and Dickinson.

Chairman Geraghty called for privilege of the floor/public comment:

Christopher Bradley, *Representing Warren-Washington Counties Topics on Tobacco Coalition*, provided an overview of their Coalition and its purpose, as well as some statistical data regarding smoking and/or vaping usage in Warren and Washington Counties.

Travis Whitehead, *Town of Queensbury Resident*, indicated the County received sufficient funding from a settlement paid by the tobacco companies every year, none of which was allocated to reduce the smoking rate within the County. He urged the Board to consider using some of these funds to provide funding to organizations such as the Warren-Washington Counties Topics on Tobacco Coalition.

Motion was made by Supervisor Geraci, seconded by Supervisor Smith and carried by a unanimous vote of those present (*Supervisors Frasier and Dickinson absent*), to approve the minutes of the October 20, 2023 Board Meeting and the November 3, 2023 Special Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Craig Briggs, *Nurse Leader, Health Services*.

Continuing with the Agenda review, Chair declared the Public Hearing open on Warren County Sewer District (Industrial Park) Assessment Roll open at 10:13 a.m. and requested the Clerk of the Board read aloud the Notice of Public Hearing. Chair called for public comment.

Chairman Geraghty announced he would keep the Public Hearing open.

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Proceeding with the Agenda review, Chair declared the Public Hearing on 2024 Tentative Budget open at 10:15 a.m. and requested the Clerk of the Board read aloud the Notice of Public Hearing. Chair called for public comment.

Mr. Whitehead voiced his concerns regarding the Sheriff's Budget and more specifically the funding for the County Jail, as well as the Department of Public Works.

Supervisor Leggett commended Supervisor Thomas for his efforts preparing the 2024 proposed County Budget. He suggested going forward reorganizing the budgeting process to allow for more active participation from the entire Board.

Supervisor Magowan spoke regarding the salary increase for the Chairman of the Board and Budget Officer which he was not in favor of, adding he concurred with Supervisor Leggett the budgeting process needed to be revamped to allow for more active participation from the entire Board. He apprised he would like to enter into an executive session at the appropriate time to discuss some personnel matters.

Christine Norton, *Warren County Resident*, advised according to NYSAC (*New York State Association of Counties*) several Counties within New York State designated a separate individual within the County to handle the budgeting process, while others tasked the County Administrator to manage the budget preparation, noting only five Counties designated an individual from within their Board of Supervisors and/or Legislative Board to carry out this process.

Returning to the Public Hearing pertaining to Warren County Sewer District (Industrial Park) Assessment, as well as the Public Hearing 2024 Tentative Budget, Chairman Geraghty once again asked for public comment; there being no response he closed both Public Hearings at 10:32 a.m.

Chairman Geraghty called for a motion to enter into an executive session. The necessary motion was made by Supervisor Magowan, seconded by Supervisor Runyon and carried by a unanimous vote of those present (*Supervisors Frasier and Dickinson absent*) to enter into an executive session.

Executive session was held from 10:33 a.m. until 11:32 a.m.

Report by the Chair of the Board was given.

Returning to the executive session, Amanda Allen, *Clerk of the Board*, clarified for the record the purpose of the executive session was for discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation which fell under Section 105(1)(f) of the Public Officer's Law.

Reports by Committee Chairs were given.

Report by the County Administrator was given.

Report by the County Attorney was given.

Reading of communications was called for; Clerk of the Board noted there were none received this month.

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

Resolution Nos. Nos. 483-528 were distributed to the Board and posted to the Warren County

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website on Monday December 13<sup>th</sup>, along with Estimate of Sales Tax, Report of Equalization and Apportionment, Mortgage Tax Report and five Proclamations, adding this distribution met the deadline specified in the Rules of the Board. The five Proclamations were:

- Proclamation No. 40 - Apprenticeship Week
- Proclamation No. 41 - Alzheimer's Awareness Month
- Proclamation No. 42 - Diabetes Awareness Month
- Proclamation No. 43 - Home Care & Hospice Month
- Proclamation No. 44 - Pancreatic Cancer Awareness Month

Mrs. Allen noted proposed Resolution No. 527 was amended after mailing and a motion was required to approve the amendment to the resolution, as provided.

Motion was made by Supervisor Smith, seconded by Supervisor Runyon and carried by a unanimous vote of those present (*Supervisors Frasier and Dickinson absent*) to approve proposed Resolution No. 527 as amended.

Mrs. Allen indicated there were four Floor Resolutions which were not approved and a motion was needed to bring each to the floor.

Motion was made by Supervisor Braymer, seconded by Supervisor Smith and carried by a unanimous vote of those present (*Supervisor Frasier and Dickinson absent*), to bring proposed Floor Resolution No. 1 entitled "*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 Amending Resolution No. 298 of 2023, Authorizing the Sale and Conveyance of Town of Queensbury Tax Map Parcel No. 303.12-1-9.3 to Nick Chiaravalle, to Remove Language Requiring Town of Queensbury Planning Board Site Plan Approval*". Mrs. Allen announced proposed Floor Resolution No. 1 would now be referred to as proposed Resolution No. 529.

Motion was made by Supervisor Braymer, seconded by Supervisor Magowan and carried by a unanimous vote of those present (*Supervisor Frasier and Dickinson absent*) to bring proposed Floor Resolution No. 2 to the floor entitled "*Amending Resolution No. 298 of 2023, Authorizing the Sale and Conveyance of Town of Queensbury Tax Map Parcel No. 303.12-1-9.3 to Nick Chiaravalle, to Remove Language Requiring Town of Queensbury Planning Board Site Plan Approval*". Mrs. Allen stated proposed Floor Resolution No. 2 would now be referred to as proposed Resolution No. 530.

Motion was made by Supervisor Bruno, seconded by Supervisor Runyon and carried by a unanimous vote of those present (*Supervisor Frasier and Dickinson absent*), to bring proposed Floor Resolution No. 3 entitled "*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 Amending Resolution No. 22 of 2023, Appointing Members to the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation, to Fill a Vacancy Due to Resignation*". Mrs. Allen advised Floor Resolution No. 3 would now be known as proposed Resolution No. 531.

Motion was made by Supervisor Bruno, seconded by Supervisor Leggett and carried by a unanimous vote of those present (*Supervisor Frasier and Dickinson absent*) to bring proposed Floor Resolution No. 4 entitled "*Further Amending Resolution No. 22 of 2023, Appointing Members to the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation, to Fill a Vacancy Due to Resignation*". Mrs. Allen stated Floor Resolution No. 4 would now be referred to as proposed Resolution No. 532.

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Mrs. Allen stated a motion was required to withdraw proposed Resolution No. 511, *Authorizing Memorandum of Understanding Between Warren County and the Warren County Sheriff's Office for Reimbursement of Payroll Expenses Incurred During 2023 Special Events from Occupancy Tax Revenue Held in Support of Warren County Tourism*, and refer it back to the Occupancy Tax Coordination Committee.

The necessary motion was made by Supervisor Wild, seconded by Supervisor Merlino and carried by a unanimous vote of those present (*Supervisors Frasier and Dickinson absent*) to withdraw proposed Resolution No. 511, *Authorizing Memorandum of Understanding Between Warren County and the Warren County Sheriff's Office for Reimbursement of Payroll Expenses Incurred During 2023 Special Events from Occupancy Tax Revenue Held in Support of Warren County Tourism*, and send it back to the Occupancy Tax Coordination Committee for further review.

Discussion and public comment on proposed resolutions was called for.

Supervisor Strough voiced his opposition to proposed Resolution No. 508, *Introducing Proposed Local Law No. 7 of 2023, Entitled "A Local Law Amending Local Law No. 5 of 2018, 'A Local Law Amending the Warren County Occupancy Tax as Authorized by Act of the New York State Legislature (Chapter 422 of the Laws of 2003)'"*, and *Authorizing Public Hearing Thereon*, adding he would like a roll call vote on the proposed resolution.

A discussion ensued regarding proposed Resolution No. 508 during which a motion was made Supervisor Wild and seconded by Supervisor Strough to table the proposed Resolution and refer it back to Committee for further clarification. A discussion ensued during which Supervisor Braymer called for point of order, indicating the motion pertained to the tabling of proposed Resolution No. 508 and she requested they move forward with the vote on the motion to table. Chairman Geraghty responded in the affirmative, noting there would be a roll call vote on the motion. He called the question and the motion to table proposed Resolution No. 508, *Introducing Proposed Local Law No. 7 of 2023, Entitled "A Local Law Amending Local Law No. 5 of 2018, 'A Local Law Amending the Warren County Occupancy Tax as Authorized by Act of the New York State Legislature (Chapter 422 of the Laws of 2003)'"*, and *Authorizing Public Hearing Thereon*, and send it back to Committee was carried, with 624 voting in favor (*Supervisors Conover, Leggett, McDevitt, Braymer, Driscoll, Geraci, Smith, Strough, Wild, Magowan and Etu*); 315 opposed (*Supervisors Runyon, Diamond, Bruno, Merlino, Beaty, Thomas and Geraghty*); and 63 absent (*Supervisors Frasier and Dickinson*).

Motion was made by Supervisor Braymer and seconded by Supervisor Magowan to amend the 2024 Tentative County Budget to reduce the salary increase of the Chairman of the Board and Budget Officer to a 2.85% salary increase over what they were currently being paid. Mrs. Allen noted this would reduce the proposed salary of the Chairman of the Board from \$25,000 to \$23,656 and the Budget Officer from \$15,000 to \$9,257.

Motion was made by Supervisor Leggett to amend the proposed amendment to the 2024 Tentative County Budget to keep the proposed salary for the Budget Officer at \$15,000 and reduce the salary of the Chairman of the Board from \$25,000 to \$23,656; Supervisor McDevitt seconded the motion. A discussion ensued during which Larry Elmen, *County Attorney*, indicated the motion they were voting on only pertained to keeping the Budget Officer's Salary at \$15,000 in the 2024 Tentative County Budget. A roll call vote on the motion was called for. Chairman Geraghty called the question and the motion was carried, with 614 voting in favor (*Supervisors Runyon, Conover, Leggett, McDevitt, Driscoll, Geraci, Smith, Merlino, Strough, Wild, Etu and Geraghty*); 325 opposed (*Supervisors Diamond, Braymer, Bruno, Magowan, Beaty and Thomas*); and 63 absent (*Supervisors Frasier and Dickinson*).

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Returning to the original motion as amended which consisted of reducing the salary of the Chairman of the Board in the 2024 Tentative County Budget from \$25,000 to \$23,656, a roll call vote was called for. Chairman Geraghty called the question and the motion to amend the 2024 Tentative County Budget as outlined above was carried, with 510 voting in favor (*Supervisors Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Magowan, Beaty and Geraghty*); and 429 opposed (*Supervisors Runyon, Conover, Geraci, Smith, Merlino, Strough, Wild, Etu and Thomas*); and 63 absent (*Supervisors Frasier and Dickinson*).

With regard to proposed Resolution No. 509, *Adopting the Occupancy Tax Grant Application for Conventions, Trade Shows and Events*, Heather Bagshaw, *Director of Tourism*, clarified although the deadline to submit applications for occupancy tax funding for events in 2024 was November 1<sup>st</sup>, there was another timeframe for when a second round of applications were accepted. She added they also had the ability for the Occupancy Tax Coordination Committee to approve applications outside of those timeframes.

A discussion ensued regarding proposed Resolution No. 524, *Adopting Budget for Fiscal Year 2024*, during which Supervisors Leggett and Wild spoke in favor while Supervisors Magowan and Diamond voiced their opposition.

Voting on resolutions occurred. Resolution Nos. 483-528 were approved as presented, with the exception of Resolution No. 511 which was withdrawn, as well as Resolution No. 508 which was tabled and sent back to the Occupancy Tax Coordination Committee for further discussion and Resolution No. 524 which was amended from the floor.

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

Mike Swan, *County Treasurer*, clarified for the record currently 3% of the total Occupancy Tax collections were allocated to the Treasurer's Office as an administrative fee which amounted to around \$210,000 on an annual basis. He added if this fee had been increased to 6% today it would result in an increase of \$210,000 for a new total of \$420,000 which could be justified by the amount of time staff in his Office spent on these collections.

Supervisor Braymer questioned whether there were plans to let the Executive Order concerning refugees expire in Warren County and John Taflan, *County Administrator*, replied in the negative.

Supervisor Magowan suggested they look into whether it was permissible to charge sales tax on short-term rentals within the County as a way to bolster revenues and Chairman Geraghty replied he was unsure whether this was legal, but they would research the matter further.

Supervisor Wild spoke regarding the Warren County Housing Needs Study and Market Demand Analysis which would be discussed further at the next meeting of the Economic Growth & Development Committee.

In response to Supervisor Magowan's suggestion that the County look whether the County could charge sales tax on short-term rental to increase its revenue stream, Supervisor Merlino apprised according to the State this was not permitted.

Supervisor Braymer suggested considering charging a real property transfer tax on the sale of properties that were being sold to be used as short-term rentals, as this was permissible.

In regard to Resolution No. 515, *Amending Intermunicipal Agreement Between Warren County, Washington County, Town of Queensbury and Town of Kingsbury Concerning the Establishment of*

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*Districts, Construction of Collection Systems and Disposal of Waste Water at the City of Glens Falls Waste Water Treatment Plant, to Reflect the Dissolution of the Kingsbury Sewer District and the Extension of the Washington County Sewer District #1 to Assume the Kingsbury Sewer District Obligations*, Supervisor Merlino questioned whether the cost to the County was increasing and Chairman Geraghty replied in the negative.

Supervisor Magowan stated he believed the County should research whether it had the authority to charge its 3% share of the sales tax on short-term rentals.

Announcements were called for.

Chairman Geraghty wished everyone a safe and happy Thanksgiving next week and commended the Board for having a productive, civil discussions at the meeting today. He announced the annual meeting of the Adirondack Association of Towns's and Village's would be held December 2-4, 2023 at the Marriott Hotel in Lake George and he encouraged all to attend.

Supervisor Driscoll advised this upcoming Tuesday evening West Point would be playing the University of Albany in a basketball game and he encouraged all to attend. He also thanked Mr. Taflan for highlighting his meetings with local not-for-profits, as they had a significant impact on the local economy, as well as the quality of life of the residents.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Conover, seconded by Supervisor Strough and carried by a unanimous vote of those present (*Supervisors Frasier and Dickinson absent*) Chairman Geraghty adjourned the Board Meeting at 12:47 p.m.