

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, APRIL 20, 2018**



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 10:00 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Simpson.

Roll called, the following members present:

Supervisors Leggett, Diamond, McDevitt, Braymer, Loeb, Driscoll, Frasier, Simpson, Hogan, Dickinson, Merlino, Strough, Wild, Beaty, Magowan, Sokol, Thomas, Hyde, Geraghty and Conover - 20

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the March 16th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Braymer, seconded by Supervisor Magowan and carried unanimously.

Chairman Conover extended privilege of the floor to Peter Kehoe, *Executive Director of the New York State Sheriff's Association*, who addressed the Board regarding the Warren County Sheriff's Office. Mr. Kehoe remarked it was his great pleasure to be present today on behalf of all the Sheriff's of New York State to once again recognize and honor Sheriff Bud York and his staff for the re-accreditation of the PSAP (*Public Safety Answering Point*). He informed only fourteen of the over 200 PSAP's within the State had been able to qualify for a PSAP accreditation, as it was not easy to accomplish. He mentioned this was on top of the accreditation of the County Jail, the Sheriff Office Civil Division and the Sheriff's Law Enforcement, all of which had been earned from the New York State Sheriff's Association and from the New York State Law Enforcement Accreditation Counsel. He said these were great testaments to the Sheriff's Office, clearly demonstrating that the Sheriff and his staff were dedicated to the pursuit of excellence in their profession. He informed the Sheriff's Office was well respected State-wide for its professionalism, pointing out the citizens of Warren County, as well as the Board members who were responsible for providing financial support to the Sheriff's Office should be proud this Office. He apprised today the attention was focused on the PSAP and the Sheriff's Communications Division which was the lifeline for all of the emergency responders within the County. He stated the Sheriff's PSAP handled over 55,000 calls on an annual basis and dispatched for twenty-four fire departments, fourteen EMS providers, the Sheriff's Office, City of Glens Falls Police Department, Town of Bolton Police Department, Lake George Park Commission and the New York State Police. He said the job these dispatchers did was very stressful, as they were charged with receiving calls from distraught citizens, often which multiple calls were received regarding the same incident all during which they tried to calm the person in distress to illicit the information needed in order to determine who to dispatch to the incident. He continued, they also provided the caller in distress with instructions in an attempt to mitigate whatever was occurring until the first responders could arrive. He commented that this was a very difficult job, apprising lives and property were depended upon the dispatcher doing their job right. He said this was why the Sheriff's Association expended so much of its resources and efforts on the PSAP Accreditation Program, as it was not something that was made available to all who requested it. He informed a very stringent set of standards developed by experts within the fields of public safety and communications must be met in order to achieve the accreditation that included 38 major components and hundreds of minor components. He continued, to gain accreditation the PSAP must

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submit itself to scrutiny by an outside Board of Assessor's who would determine whether or not the agency has met these many stringent standards. He remarked he was pleased to report that the Assessor's who reviewed the operations of the Warren County PSAP indicated to him that they met or exceeded all of those standards. He apprised this was an achievement the County should be very proud of and he congratulated Sheriff York, Undersheriff Shawn Lamouree, Communications Supervisor Larry Jeffords and the staff of the Communications Division for obtaining this accomplishment. He stated he would also like to congratulate the Board members and citizens of the County for providing the moral and financial support required in order to obtain this achievement, as well as to accomplish all of the other good work being done by the Sheriff's Office. He apprised accreditation took a significant amount of work by a large number of people, informing it was not something that was awarded to everyone. He requested the following people to come forward to recognize them for all the hard work they put forth to achieve this accreditation:

- * Mr. Jeffords
- * Brian Engle, *Senior Communications Officer*
- * Lisa Mansfield, *Senior Communications Officer*
- * Derrick Helms, *Senior Communications Officer*

A round of applause was given after each recognition.

Mr. Kehoe thanked Chairman Conover for the opportunity to publicly acknowledge the good work the County's Sheriff's Office was doing for its citizens. He presented Undersheriff Lamouree with a plaque recognizing this achievement today. A round of applause followed.

Undersheriff Lamouree remarked although he was the one receiving the plaque today he felt it was imperative to note the credit for this re-accreditation belonged to the individuals who stood before them a few minutes ago. He stated these individuals worked tirelessly throughout the year to maintain these files in order to obtain this accreditation. He reminded them those who worked in the Communications Center were the unsung heroes, as they were the ones who answered the calls when someone was having a crisis such as when a house was broken into, just been involved in a personal injury accident, etc. He said these individuals were able to compile the information they required to provide the assets and resources required to help people anytime during the day or night. He apprised not only would they provide step by step instructions on how to give CPR over the phone, but also recently as noted in the local newspaper they provided instructions to someone on how to deliver a baby. He remarked these individuals were true professionals and the Sheriff's Office was fortunate enough to employ people of this caliber. A round of applause followed.

Supervisor Merlino entered the meeting at 10:08 a.m.

Moving along to the report by the Chairman of the Board, Chairman Conover reported on the March 22nd meeting of the Intercounty Legislative Committee of the Adirondacks which took place in Essex County. He said during the meeting the Essex County EMS Coordinator presented the County's plan for establishing a County-wide EMS program. He said found the Plan to be so interesting that he shared it with the Criminal Justice & Public Safety Committee. He informed they would be inviting representatives from Essex County to attend a future Committee meeting to allow them to discuss the Plan directly because he believed there were a number of parallel comparisons to be made with what was needed in Warren County. He apprised he had met with Walter Young, *Executive Director, Lake Champlain-Lake George Regional Planning Board*, at which time he notified Mr. Young that he should plan on attending the monthly meetings of the Economic Growth & Development Committee for the foreseeable future to address any and all questions associated with that organization. Chairman Conover informed he, along with the County Attorney and the First Assistant County Attorney, had

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attended a presentation on April 18th in the Town of Bolton by Bob Freeman, *Executive Director, New York State Office of Open Government*. He stated his hope was for this presentation to be made on an annual basis to assist the municipal clerks and those who were the gateway of the FOIL (*Freedom of Information Law*) process, as the information provided was very useful.

Continuing to the report by the County Administrator, Ryan Moore, *County Administrator*, apprised he had three items to report on, the first of which concerned recognizing Mike Colvin, *Director, Information Technology*, for 20 years of service to the County. He said everyone here appreciated the hard work and dedication Mr. Colvin provided to the County and he wished him continued success. A round of applause was given. Next, Mr. Moore provided an update on his activity, advising he had assumed the position on April 9th following which he had been busy trying to meet with as many Department Heads as possible. He stated he had been able to meet with Jaeger & Flynn Associates, *the County's Health Insurance Broker*, Larry Paltrowitz, *Special Counsel to the County on Labor issues*; Ed Bartholomew, *President & CEO, Warren County Economic Development Corporation*; Gina Mintzer, *Executive Director*, and Kristen Hanifan, *Special Events & Convention Sales Director, Lake George Chamber of Commerce & CVB*; and Lillian May, *Executive Director, Legal Aid Society*. He continued, in addition he was working on meeting with each Department Head on an individual basis following the Department Head meeting held on April 10th to allow him to discuss their priorities and some of the things he would like to try to do. In terms of his travels, Mr. Moore informed he had visited the HSB (*Human Services Building*), the DPW Administration Office and Garage in the Town of Warrensburg, the Warren County Fish Hatchery, Countryside Adult Home, the DPW Facility leased by D&G Recycling in the Town of Queensbury and the Airport. He stated he had participated in a NYSAC (*New York State Association of Counties*) conference call during which they reviewed the adopted State Budget. He added he had also spent a significant amount of time meeting with some of the Supervisors and he emphasized his door was always open and he hoped to hear from each of them regarding what they felt he should be focusing on. He informed he was working on preparing for the upcoming Committee meetings and the rhythm that would work there. In conclusion, he advised that upon the request of Chairman Conover, he was apprising the Board about the power outage incident that occurred last weekend which was under investigation to determine the cause of the failure of the UPS System at the Prospect Mountain Radio Site. He informed the UPS System was a critical component of the County's emergency communications system and its timely repair was essential for public safety which was why Chairman Conover and the County Attorney had authorized the Sheriff's Office to move forward with purchasing a replacement UPS System at an estimated cost of \$22,000. He stated it was the intent of the Sheriff's Office to bring this request before the Criminal Justice & Public Safety Committee next Tuesday, noting Supervisor Leggett, who Chaired the Committee, had been briefed on the matter. He said they were continuing to gather information including whether there was the possibility of insurance coverage for this expense to report on at the Committee meeting next week. In conclusion he offered privilege of the floor to Undersheriff Lamouree to provide a brief synopsis on the matter.

Undersheriff Lamouree stated the Sheriff's Office lost the simulcast site on Prospect Mountain last weekend when storms were passing through the region. He informed there were multiple simulcast sites throughout the County; however, he noted, the one located on Prospect Mountain covered the largest area, apprising at one point it was the only transmit site. He advised the uninterruptible power on the site failed, but they were unsure why. He said this also served as a surge protector to protect the hundreds of thousands of dollars worth of radio equipment located there that was used by police, fire, EMS and the DPW. He mentioned this site was off the air for approximately two hours thereby impacting the ability of agencies that were primarily served by that tower site. He stated the technicians who inspected the unit believe it could have taken a surge, but this was still unconfirmed; he noted the equipment was about fifteen years old and had brand new batteries installed two years ago. He continued, when the unit failed the generator should have turned on, but because of whatever had

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occurred the computer was burned causing the generator to not start up. He said his staff was able to get the tower site back online; however, he noted, a significant concern for the Sheriff's office was there was no surge protection in place for all of the computer equipment located there. He informed he had been working with Amy Clute, *Self-Insurance Administrator*, Mr. Moore and Supervisor Leggett to get the matter rectified.

Supervisor Dickinson asked for a timeline as to when the matter would be taken care of and Undersheriff Lamouree responded that according to the information he had it would take about four weeks for the parts to come in. Supervisor Magowan questioned whether this meant someone would have to go to the site and manually turn on the generator with the hopes that none of the equipment had burned out in the meantime and Undersheriff Lamouree replied in the affirmative. Undersheriff Lamouree explained the UPS System was designed to provide power from the time the power was lost until the generator turned on up there, noting it was usually between thirty seconds to one minute.

Chairman Conover then called for the reports by Committee Chairmen on the past months meetings or activities.

Supervisor Simpson welcomed Mr. Moore. He stated the Public Works Committee has met on March 20th wherein proposed Resolution Nos. 176-181 were approved and he provided a brief summary of each. He called attention to proposed Resolution No. 179, *Appointing Superintendent of Public Works*, commenting he felt Kevin Hajos, *the current Deputy Superintendent of Public Works*, was the most suitable person for the job. He advised the Public Works Committee had met again on March 29th to discuss the issues with the railroad contract with Ed Ellis, *President, Iowa Pacific Holdings*, during which Mr. Ellis indicated not only that he was unable to pay the amount past due to the County, but that he was forfeiting the remainder of his contract due to the fact that he could no longer afford to operate the railroad here. He informed Mr. Moore and the County Attorney had been working on identifying how the County should move forward and the various related issues to ensure it was handled in a comprehensive way that covered all of the issues that needed to be solved. He apprised the matter would be discussed further at the April 23rd Committee meeting. Supervisor Simpson advised the annual Golf Tournament and Silent Auction for Cornell Cooperative Extension was scheduled for Saturday August 25th. He stated this was their 9th annual tournament with all of the proceeds being allocated to provide funding for the educational programs they offered throughout the County. He said anyone interested in participating should contact himself or Dr. James Seeley, *Executive Director, Cornell Cooperative Extension*, whether it be to assemble a team, provide sponsorship or silent auction items.

Supervisor Hogan indicated she had nothing to report on, but she would like to comment on Cornell Cooperative Extension. She informed she had the great pleasure of spending last weekend with a number of teenaged leaders from throughout the State who were 4H participants. She remarked she did not believe the value of the programs offered by Cornell Cooperative Extension could not be stated strongly enough and she encouraged all to support the organizations Golf Tournament and Silent Auction. She urged anyone with questions about the organization and their programs to contact them directly.

Supervisor Dickinson thanked Supervisor Simpson for chairing the March 19th meeting of the Environmental Concerns & Real Property Tax Services Committee meeting in his absence. He called their attention to proposed Resolution Nos. 164-165 which were approved at the meeting. Supervisor Dickinson advised he had attended the annual meeting of the County Jury Board and he highlighted the duties of Wanda Smith, *Commissioner of Jurors*, as follows: For 2017, 7,700 questionnaires were

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mailed to develop a jury pool for the upcoming year; from that jury pool they had jurors respond to 49 trials and 10 grand jury panels last year of which the Supreme Court had 3,262 people, City of Glens Falls Court had 375 people and the Town and Villages had 385 people. With regard to Environmental Concerns, Supervisor Dickinson informed Supervisor Braymer was working on a resolution pertaining to plastic bags that would be palpable to the County so that it could be presented to the Intercounty Legislative Committee of the Adirondacks with the hopes of obtaining their support. He said he and Supervisor Braymer had brought this up at last month's meeting of the Intercounty Legislative Committee of the Adirondacks, but the members were against some of the material included in the proposed Resolution. He explained the ban on plastic bags originated in New York City, advising their concerns were different than those of the northern regions of the State such as a ban on paper bags which the members of Intercounty Legislative Committee of the Adirondacks were against. He encouraged all to review the proposed resolution regarding plastic bags that Supervisor Braymer had drafted, as there were a number of far reaching issues that were not normally considered with regards to plastic bags. He said his hope was for the matter to be discussed at the next meeting of the Environmental Concerns & Real Property Tax Services Committee so they could forward it on to the Intercounty Legislative & Rules Committee for approval following which it would be forwarded to State representatives encouraging them to take action on the matter.

With regards to the Tourism Department, Supervisor Merlino stated a newsletter was distributed on Wednesday via email, as it contained a significant amount of information within it. He advised the Smith's Travel Report for March was up 15.3% and the Smith's Travel Trend for January to March was up 7.5%. He said he was trying to schedule the Tourism Committee meetings as the first meeting of the morning to prevent significant delays which impacted the business people who sometimes had to wait several hours for the meeting to start. He advised the next Committee meeting was scheduled for April 30th at 10:30 a.m. during which Ad Workshop would be doing a presentation regarding the media.

Supervisors Strough advised that the Legislative & Rules Committee had met on March 26th wherein they approved proposed Resolution Nos. 172-174 and 193 and he provided a brief overview of each.

With regard to proposed Resolution No. 193, *Introducing Proposed Local Law No. 3 of 2018 Entitled "Municipal Opioid Cost Recovery and Public Nuisance Legislation" and Authorizing Public Hearing Thereon*, Mary Elizabeth Kissane, *County Attorney*, suggested the resolution be withdrawn and referred back to the Legislative & Rules Committee in light of points brought to her attention by Supervisor Loeb in regard to the medical industry. She said she felt the Local Law should be revised at Committee and then returned to the Board for approval.

Chairman Conover stated the Board had a few options it could pursue, the first of which was to proceed with adopting the Local Law as presented today following which it could be amended at a later date, but he would defer to Supervisor Strough, as he chaired the Legislative & Rules Committee. Supervisor Strough stated upon consultation by Ms. Kissane he concurred that the Local Law should be withdrawn.

Motion was made by Supervisor Strough and seconded by Supervisor Dickinson to withdraw proposed Resolution No. 193.

Supervisor Braymer requested that Supervisor Loeb elaborate on his concerns with the proposed Resolution. Supervisor Loeb explained the law in its current form lacked some definition as it related to who was responsible for the opioid crisis. He apprised most felt the manufacturers who marketed and sold these opioids were responsible for the crisis; however, he noted, according to the way the law was currently drafted the blame was placed upon the sellers, distributors and prescribers. He said this put the Board in the position of focusing on accusing any of the local medical professionals such as

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doctors, physicians assistants or pharmacists as the prescribers, sellers and distributors. He remarked he did not believe the intent of the Local Law was to go after the local professionals, but rather to ensure everyone did their job properly. He added today's local newspaper featured an article which indicated the distribution of prescription opioids had decreased on a national level, noting he believed this was a good trend. He restated the wording of the proposed Local Law as presented was inadequate as it pertained to its intent.

Chairman Conover advised he could see no issue with withdrawing the proposed Resolution and returning the matter to Committee if changes were required. Supervisor Wild pointed out more people would be able to attend the Public Hearing and comment on the proposed Local Law since the May 15th Board Meeting was scheduled for 6:00 p.m. and he inquired whether it was possible for the Public Hearing to occur if the proposed Resolution was withdrawn and Chairman Conover replied in the negative. He explained there would be no specific legislation to comment on. Supervisor Braymer suggested they move forward with the proposed Local Law following which it could be amended as a result of the comments made during the Public Hearing. She added if the changes Supervisor Loeb was proposing were significant then the Local Law in its current form was a moot point they should not move forward with. Supervisor Driscoll inquired whether they would have the opportunity to hold the public hearing if the proposed Resolution was tabled until next month and Chairman Conover replied the proposed Resolution set the date of the Public Hearing, but the motion before them was to withdraw and not table the Resolution. Supervisor Dickinson apprised he felt the proposed Resolution should be amended before they set the date of the Public Hearing.

Chairman Conover called the question and the motion to withdraw proposed Resolution No. 193, *Introducing Proposed Local Law No. 3 of 2018 Entitled "Municipal Opioid Cost Recovery and Public Nuisance Legislation" and Authorizing Public Hearing Thereon*, was carried by majority vote, with Supervisor Leggett voting in opposition.

Supervisor Wild informed although he did not chair any Committees, he had been very active with meeting leaders in the community, as well as with several County Department Heads in an attempt to get a thorough understanding of all the different moving pieces at the County. He reiterated a number of the Board's decisions resulted in consequences which was why he was working hard to get a better understanding of how the County was managed.

Supervisor Beaty apprised proposed Floor Resolution No. 1 had been distributed to the Board Members prior to the meeting, the purpose of which was to rescind Resolution No. 133 of 2018 which authorized payment to the Lake Champlain-Lake George Regional Planning Board. He said he drafted this proposed Floor Resolution due a number of concerns he had with this organization. With regard to the organizations loan portfolio, Supervisor Beaty informed he had personally met with Mr. Young last week, at which time Mr. Young had been less than accommodating to Supervisor Beaty's requests for information pertaining to how they operated, how they managed the loans, etc. He added he was discouraged by the fact that Mr. Young indicated to him he would have to submit a FOIL request for some of the information he had requested since the Board was charged with overseeing the organization along with the four other counties. He requested full support on proposed Floor Resolution No. 1, pointing out they had the option to approve the payment to this organization at a later date. He said since so many issues had been brought forward, and many questions remained unanswered regarding this organization, he felt it was imperative for them to rescind the payment until all the issues had been fully resolved. Supervisor Beaty apprised the Shared Services Committee had not met last month; however, he noted, he and Supervisor Braymer had met with Julie Butler, *Purchasing Agent*, to discuss a few side issues. He advised a Shared Services Committee meeting would be scheduled for next month during which they would try to get a handle on what other items were

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important and could result in significant savings. He remarked he was pleased that Mr. Moore had indicated to him he would like to participate in the process.

Supervisor Magowan indicated he had nothing to report on, but would like to take this time to welcome Mr. Moore, advising he was looking forward to working with him going forward.

Supervisor Sokol apprised the Finance Committee had met on March 29th and April 11th, approving proposed Resolution Nos. 151-152, 188-192 and 194-199. He stated the County Treasurer was unable to attend the Board Meeting today to provide his typical update on the County finances; however, he noted, a report was given at the March 29th meeting during which he voiced his concern regarding the spend down of the Unappropriated Surplus Fund, whose balance was forecast to be vastly depleted in the multi-year plan. He remarked on a positive note interest rates were increasing slightly thereby resulting in CD's paying out more than the few money market accounts they had; therefore, he said, for the first time since 2009 they would be investing in some CD's in an attempt to increase revenue. He stated it was also noted that the amount of sales tax collected in 2017 was 2.2% more than what was collected in 2016 and occupancy tax collections were up by 3.7% in 2017 as compared to 2016. He called attention to proposed Resolution No. 192, *Authorizing an Agreement with the Hadley-Luzerne School District for the Warren County Sheriff's Office to Provide Law Enforcement Services Within the Hadley-Luzerne School District*, commenting it was unfortunate that this was the day and age where law enforcement services were required in some school districts. He advised Hadley-Luzerne School District was the first in the region to request a contract with the Sheriff's Office for these services during the school year for an amount not to exceed \$60,000. He added further discussion would be required if the school district were to request services during summer school. Supervisor Sokol provided a brief summary of the prepared statement he read at the March 29th meeting which pertained to his response to the Editorial included in today's edition of *The Post Star* regarding the discussion that took place at the March 26th meeting of the Economic Growth & Development Committee between himself and Travis Whitehead, *Warren County Resident*, concerning a loan by the Lake Champlain-Lake George Regional Planning to the DLS Corporation. that took place at the March 29th Finance Committee meeting. He read aloud the following exert featured in *The Post Star*: "After review of Warren County Ethics and Disclosure Law and the opinion rendered by Warren County Attorney dated March 28, 2018, we agree with the opinion rendered by County Attorney that there was no conflict of interest when Supervisor Sokol voted in favor of Resolution No. 133 of 2018; however, in the future and abundance of caution we recommend that Supervisor Sokol abstain from any votes related to funding of the Regional Planning Board". Supervisor Sokol announced as per the Ethics Board's recommendation he would be abstain from voting on proposed Floor Resolution No. 1; however, he advised, he felt compelled to clarify yet again that the loan provided by the Regional Planning Board was to his parents. He added he believed his parents would have been granted the loan regardless of which way he voted on the matter and he apologized to the Board members, County staff, and public for causing them to have to spend time on this matter. Supervisor Sokol apprised the purpose of the April 11th Finance Committee meeting was to determine a source of funding in the amount of \$100,000 to pay the settlement for the Gillette V. Warren County case. He said the necessary funds would be appropriated from the General Fund Unappropriated Surplus, as indicated in proposed Resolution No. 194, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Public Works Budget to Fund a Settlement in the Case of Jack Gillette V. County of Warren; Amending 2018 Warren County Budget*.

Supervisor Thomas reminded the Board members that the County had purchased a vacuum excavator with grant funding awarded to the Warren County Soil & Water Conservation District. He said the grant required a 25% match which was met through use by the local highway departments who documented their time and expenses during its use. He said additional matching funds were required in order to

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receive full reimbursement thereby closing the grant out. Supervisor Thomas advised the new hydro seeder purchased this year by the Warren County Soil & Water Conservation District was available for use by the towns to prevent erosion. He stated this past Wednesday he had traveled with Ronald Montesi, *former Queensbury At-Large Supervisor*, to Cortland, New York to attend a New York Association of Conservation Districts meeting. He informed this Association was comprised of eight regions of which Mr. Montesi was a member of the State Committee for Conservation and he was Director of Region 5 which included five member Counties from Warren County to the Canadian border.

Supervisor Thomas informed he had attended a meeting with representatives from Jaeger & Flynn Associates during which they thoroughly reviewed the expenses associated with the County's Health Insurance and discussed how they could reduce them. He stated going forward these meetings would be held on a quarterly basis during which they would discuss how to create incentives and manage the health care costs. He advised NYSAC was predicting that the inflation factor for the 2019 State Budget would be around 1.8%. He stated he was pleased to report thus far the amount of sales tax collected in 2018 was 2.2% more than what was collected during the same timeframe last year. Supervisor Thomas apprised that the New York State Department of Taxation and Finance had commenced with collecting the 911 surcharge fee for prepaid cell phones. He said this would be handled similar to sales tax with the State collecting the funds and then allocating the full amount back to the Counties; however, he noted, he was skeptical that the full amount would actually be returned to the Counties. He added if the full amount was returned to the County the first payment would be in the range of \$50,000. He advised as soon as the County Treasurer's Office closed out the books for last year he would schedule a Budget Committee meeting to review 2017 and commence planning the Budget for 2019. Supervisor Thomas informed he was unable to attend the May 15th Board Meeting due to a scheduling conflict with his Town Board meeting.

Chairman Conover requested going forward that Amanda Allen, *Clerk of the Board*, keep a log of all of the Town Board meetings in an attempt to prevent scheduling conflicts from occurring when night Board meetings were scheduled. He apologized to Supervisor Thomas, as he was well aware of how proud Supervisor Thomas was about his attendance record for County Board meetings.

Supervisor Hyde indicated she had nothing to report on.

Prior to the Committee report by Supervisor Geraghty, Chairman Conover advised they all owed Supervisor Geraghty a great deal of gratitude for filling in as Acting County Administrator for such an extended period of time and he thanked him for his service to the County. A round of applause followed.

Supervisor Geraghty advised the Personnel & Higher Education Committee had met on March 29th and April 11th, during which they approved proposed Resolution Nos. 186 and 187. He reminded the Committee Chairs the Performance Evaluations were due and he requested that they be turned in to the Human Resources Department by next week. He commented he had the pleasure of working with Mr. Moore since April 9th and, he noted, he truly believed he had been the correct choice for the County Administrator position. Supervisor Geraghty apprised he felt compelled to point out that the County had filled four major Department Head vacancies since the beginning of the year. He added he was hopeful after today's meeting that they would not have to fill any Department Head vacancies for awhile. He concluded by thanking the members of the Personnel & Higher Education Committee, as well as the Board members for working with him to make the right choices to fill these vacancies.

Supervisor Leggett welcomed Mr. Moore and stated the Criminal Justice & Public Safety Committee had met on March 20th, approving proposed Resolution Nos. 154-161 and he provided a summary of each.

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He recognized Gary C. Hobbs, *Glens Falls City Court Judge*, and Marcy Flores, *Public Defender*, for their work putting together the CAP (*Centralized Arraignment Plan*). He added he would also like to thank Sheriff York and Chief Anthony Lydon, *Glens Falls Police Department*, for working together on a cooperative agreement that would allow the CAP to move forward. He advised following the County's approval, the CAP would be forwarded on to the State for review and final approval. Supervisor Leggett advised a discussion took place regarding impact the Raise the Age Legislation would have on the County, most notably an increase in expenses. He thanked the Sheriff's Office and the Office of Emergency Services for providing much needed services to the County during emergencies such as prolonged power outages.

Supervisor Diamond reported on the March 19th meeting of the County Facilities Committee wherein they approved proposed Resolution No. 153 which he requested support of. He advised he had an opportunity to tour the County-owned building on Warren Street where a tenant was located. He stated since the lease agreement with the tenant in that building had expired it was necessary for them to determine whether they wanted to move forward with negotiating a new lease agreement. He informed he was pleased to announce that building was anxiously awaiting the transfer of the Office of Emergency Serviced equipment, noting it had been retrofitted for this purpose a few weeks ago. Supervisor Diamond reminded the Board members the FBO (*Fixed Base Operator*) contact for the Airport was expiring at the end of the year. He announced two responses had been received to the RFP (*Request for Proposal*) for these services, copies of which had been distributed to the Committee members for review and discussion at the next Committee meeting. In regards to the negotiations that would be required for this process, Supervisor Diamond thanked Supervisors Sokol, McDevitt and Beaty for volunteering to assist in negotiations with the two respondents.

Supervisor McDevitt advised he hoped the County would be able to move along the process of attempting to come to a resolution regarding the issues with the Lake Champlain-Lake George Regional Planning Board as quickly as possible. He remarked he did not believe the Board was moving "fast enough" to ensure they were not on the front page of *The Post Star*, apprising they were not doing their due diligence to secure the underlying theme of trust and believability. He stated he was seeking a mechanism that would allow them to move forward quicker on that issue such as spending time with representatives of the Planning Board and their auditor to bring it to a conclusion. He said he suspected the final analysis would be supportive of the many good things the Regional Planning Board did which was why he would like the process to move along faster. Supervisor McDevitt thanked the residents from Cedars Community Living Center for attending the Board and Committee meetings to voice their support of the Meal on Wheels meal site located at their facility. He apprised he hoped they would be able to "kill this issue" as it related to any changes in their program.

Supervisor Braymer thanked Supervisor Geraghty for his efforts during the time he served as Acting County Administrator and she welcomed Mr. Moore, apprising she wished him well with getting his feet on the ground. She advised since she did not Chair any Committees she did not have a Committee report, but noted she and Supervisor Driscoll had attended the Crime Victim Rights Week Breakfast which was hosted jointly by Warren and Washington Counties. She informed a 911 Operator from Warren County was honored at the event for assisting a gentlemen from the Town of Hague during a serious incident; she added that the survivor of the incident was also honored. She said it was truly a meaningful event she hoped more Supervisors would be able to attend in the future.

Supervisor Loeb advised the Support Services Committee had met on March 26th, wherein they approved proposed Resolution No. 182. He said he was reminded on a regular basis about the quality of the County staff who all did great jobs. He informed a significant amount of work was done in this County, the least amount of which was being done by the Board members; he apprised it was the

County staff who provided the services to the citizens of Warren County. Supervisor Loeb stated that Supervisor Frasier, who chaired the Health, Human & Social Services Committee, requested that he work on the issue with the Meals on Wheels Program, commenting he was fully supportive of the efforts of the citizens. With regard to the Cedars Meal Site, Supervisor Loeb advised under the heading of good, open and responsible government it was the Board's responsibility to do the best for all of the taxpayers in Warren County. He stated no decision regarding changes to the Cedars Meal Site had been made as of yet. He informed at the last Committee meeting a discussion took place regarding how these meals were being funded during which one of the major points made was that all of the municipalities paid extra money for the program with the exception of the Town of Queensbury and the City of Glens Falls. He continued, he would be presenting a figure at the next meeting that he believed would be a fair and appropriate amount for the City and Town of Queensbury to contribute to support their portion of the program.

Supervisor Driscoll stated he had no Committee report, but he wanted to ensure everyone was aware that Supervisor Hogan had also attended the Crime Victims Week Breakfast. As previously indicated by Supervisor Braymer he encouraged all to try and attend the event, as it recognized the efforts of men and woman throughout Warren County for their good work. He mentioned he met with the new Commissioner of the Department of Social Services yesterday and he urged the Board members to meet with the new Department Heads to learn what their needs were and determine how the Board could assist them with following through on achieving their goals for their departments. He voiced his support of the Proclamations before them today which pertained to Law Day, Mental health Month and Older Americans Month, as he thought it was imperative for them to recognize important issues that impacted the County's citizens.

Chairman Conover informed he had requested that Supervisor Braymer present the County's Proclamation concerning Law Day.

Supervisor Frasier reported on the March 19th meeting of the Health, Human & Social Services Committee wherein proposed Resolution Nos. 166-171 were approved and she provided a brief summary of each. She advised she would like to echo the comments made by Supervisor Driscoll regarding the Board members taking time to meet with the new Department Heads, more specifically for the Committee members to meet with Ginelle Jones, *Director, Health Services*, and Christian Hanchett, *Commissioner, Department of Social Services*, to ensure they were aware that they had their support.

Privilege of the floor was extended to Mary Elizabeth Kissane, *County Attorney*, to provide a report from the County Attorney. Ms. Kissane advised she had no report.

Resuming the Agenda review, Chairman Conover called for the reading of communications, which Mrs. Allen read aloud, as follows:

Reports from:

1. Report of Criminal and Family Workloads for February 2018 from the Warren County Probation Department.
2. Warren County Department of Weights & Measures Monthly Report for March 2018.
3. Warren County Commissioner of Jurors Annual Report for 2017

Minutes from:

1. Counties of Warren and Washington Civic Development Corporation:
 - February 26, 2018 Annual Meeting
 - February 26, 2018 Regular Meeting
 - March 14, 2018 Executive Committee meeting
2. Counties of Warren and Washington Industrial Development Agency:

- February 26, 2018 Meeting
- March 14, 2018 Executive/Park Committee meeting
- 3. Warren County Jury Board Annual Meeting held April 5, 2018
- 4. Lake Champlain-Lake George Regional Planning Board:
 - August 27, 2015 Meeting
 - December 17, 2015 Meeting
 - August 25, 2016 Meeting
 - December 21, 2016 Meeting
 - August 31, 2017 Meeting
 - December 20, 2017 Meeting

Letters/emails from:

1. Warren County Democratic Committee Election Commissioner Certification Form recommending Elizabeth McLaughlin be appointed to the Office of Commissioner of Elections for the term beginning January 1, 2019 (*see Resolution No. 196 of 2018*)
2. Warren County Republican Committee Election Commissioner Certification Form recommending William T. VanNess be appointed to the Office of Commissioner of Elections for the term beginning January 1, 2019 (*see Resolution No. 196 of 2018*)

Other:

1. Capital District Regional Off-Track Betting Corp. February payment in the amount of \$3,569.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 151-196 were mailed; she informed that proposed Resolution Nos. 152, 155, 175, 186 and 191 were amended after mailing and a motion was needed to approve these revisions. The necessary motion was made by Supervisor Dickinson, seconded by Supervisor McDevitt and carried unanimously. Mrs. Allen informed that proposed Resolution Nos. 197-199 were developed after the mailing and a motion was required to bring them to the floor; the necessary motion was made by Supervisor Dickinson, seconded by Supervisor Braymer and carried unanimously. Mrs. Allen stated a motion was also necessary to bring to the floor proposed Floor Resolution No. 1, regarding rescinding Resolution No. 133 of 2018. The necessary motion was made by Supervisor Beaty, seconded by Supervisor Simpson and carried unanimously. Mrs. Allen announced proposed Floor Resolution No. 1 would now be proposed Resolution No. 200.

Supervisor Beaty requested a roll call vote on proposed Resolution No. 200, *Rescinding Resolution No. 133 of 2018, Authorizing Payment to Lake Champlain-lake George Regional Planning Board.*

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

Travis Whitehead, *Town of Queensbury Resident*, apprised he would like to bring to the Board's attention proposed Resolution Nos. 194, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Public Works Budget to Fund a Settlement in the Case of Jack Gillette V. County of Warren; Amending 2018 Warren County Budget*, and 195, *Approving Settlement in the Matter of New York Municipal Insurance Reciprocal (NYMIR) and Selective Insurance Company of America; and Authorizing Transfer of Funds*. He informed proposed Resolution No. 195 pertained to the appropriation of funds in the amount of \$10,000 as the County's share for damages which were the result of a horrific accident in the Town of Hague on a County Road. He continued, the outcome of the litigation resulted in a settlement of \$500,000 plus litigation expenses being paid out of which the County's share was \$10,000 after the insurance deductible. In regards to proposed Resolution No. 194, Mr. Whitehead stated that the County was responsible for \$100,000 as a result of the settlement reached in the case of Gillette V. Warren County. He pointed out in addition to the \$100,000 allocation

the Board was being asked to approve today there was also an additional \$50,000 which would be allocated to Mr. Gillette over the next several years, as well as the purchase of a guard rail that would be installed by the County and the litigation costs that were a result of internal work by the County Attorney's Office and outside counsel that was hired which he surmised would equate to slightly more than \$100,000. He said his question related to why the County was not just paying a \$10,000 insurance deductible in this case like they were in the one referenced in proposed Resolution No. 195 and why did the County have to absorb all of these additional costs as it related to the Gillette settlement. Ms. Kissane asked Mr. Whitehead to clarify whether his question was an inquiry into whether there was insurance coverage on the Gillette settlement or was he questioning why there was not insurance coverage at all. Mr. Whitehead stated his inquiry pertained to why the County was not receiving reimbursement for a significant amount of this expense from the insurance company. Ms. Kissane advised the insurance company did not cover the claim in the case of Gillette V. Warren County because it was their opinion that there was no actual occurrence that precipitated the events. She said this meant the insurance company was indicating that there was no negligent act; therefore, she apprised, it was not covered under the County's insurance policy. She continued, this was why they were not covering this State action in Gillette V. Warren County; she added there was insurance coverage in the Federal action; however, she noted, that was stayed until the State action was taken care of. She continued, when the County settled it settled both actions, but the insurance company would not put any money towards it because they said the Federal action had never been reopened. Mr. Whitehead stated this case had been on-going for many years, commenting he felt it should have been apparent the County was not going to get this settlement early on. He added in the beginning he thought the only thing Mr. Gillette was seeking was for the boulders to be put back where they were, but instead the County ran up a considerable bill for the taxpayers, which they would continue to pay, to go after another taxpayer. He mentioned he felt they should all consider whether they should be using the "might" of the County's own money to go after a taxpayer. He remarked it was unfortunate that this happened, and there were other cases, one of which was currently going on where they were using the resources of the County to try and recover funds or try to avoid paying a couple hundred dollars, but instead the County had Brian Reichenbach on contract and billing for a substantial rate.

A Cedars Senior Living Community Resident, who did not provide her name, apprised the piece of paper in her hand was actually a thank you note she wrote to the Board in hopes that they may resolve the situation pertaining to the Meals on Wheels program. She questioned why this matter had dragged out for so long, as it had caused a number of problems, most notably the fact that the employees who worked in the Cedars Meal Site were distraught due to the fact that they did not know if they would have a job tomorrow. She said she did not think this was fair and she questioned what the Board needed the residents of Cedars to do in order to get the matter resolved. She pointed out many of the Board members had visited and discussed the matter with them at their facility during which time the residents had provided them with their input. She inquired what else they could do to result in the Board determining the correct course of action was keep the meal site in place at the Cedars, as she believed this site was the best program in the State.

Virginia Winters, *Cedars Senior Living Community Resident*, apprised that the other resident who wanted to voice their opinion on the matter had to leave. Chairman Conover asked whether Ms. Winters would like to take their place and she replied in the affirmative. She said the residents of Cedars felt the matter was being "dragged on so long". She advised that she was well aware it was not as important as some of the larger issues the Board was dealing with; however, she noted, it was causing a number of problems for the employees of the Meal Site. She pointed out these employees were unaware of whether they would have a job to go to each day, as they feared they would walk in one day and be told the site was closing tomorrow. She remarked the residents of Cedars all felt this was unfair to the employees. She added she would also like to know where the residents of Cedars stood because they could get someone else to operate the site, but they were unsure of whether they should pursue that option. She reiterated it appeared to her that this small issue was "dragging on too long", apprising their

hope was the matter would be brought to a conclusion. In regards to the Sheriff's Officers and EMS, Ms. Winters stated that the residents of Cedars would like to thank them for their services because they answered calls to their facility on a regular basis.

Chairman Conover remarked he felt they had delivered their message today in the most effective way.

Kelly Tyler, *Property Manager, Cedars Senior Living Community*, stated she was present today to not only support her residents, but also to thank Supervisors Magowan, Frasier and Loeb for taking the time to meet with her manager who was located in the State of Vermont. She said it provided them with a dialogue regarding how the Cedars could assist the County with this matter. She informed she and her manager felt the request made by the County was slightly out in "right field"; however, she noted, they were willing to work with the Board to try and keep the program at Cedars. She apprised they valued the program, noting that it was a large part of their community over the last fifteen years. She echoed the sentiment of the Cedars residents that it was frustrating, as it was announced in January that changes would be made and it was now almost May with no action having been taken. She mentioned everyone did their part to make this County a great one including the Supervisors who were responsible for maintaining open government and she commended the Board members for doing such a stellar job. She concluded by stating it was her hope that this matter would be settled, as she was expending a significant amount of her time to field questions, gathering information and determining whether it was accurate.

Beatrice Didio, *Cedars Senior Living Community Resident and Meals on Wheels Volunteer*, advised she could personally state that this had been horrendous for the meal site staff and Cedars residents. She said there had been others who mentioned they could bring in other programs such as an evening meal, but along with that came a great expense thereby eliminating it as an option. She remarked all of the meal site staff were hard working, dedicated individuals who had been placed under a tremendous amount of stress. Speaking from her own experience in working with some great managers, she apprised that if there had been open communication with the Director for the Office for the Aging this issue may not have reached this point, as her personal opinion was that the Director lacked communication skills. She remarked she believed the impact this was having on the meal site staff and the Cedars residents was heartbreaking, apprising she was witnessing it first hand since she was there everyday volunteering. She added the meals prepared by the meal site were a nutritious, delicious meals; however, she noted, it was not the reason individuals moved into the facility, apprising the meals were not mentioned to her when she moved in. She said she felt it was ridiculous for Supervisor Loeb to imply that the Cedars owed the County money for advertising fees. She implored with the Board members to carefully think over this matter before a decision was rendered.

Supervisor Frasier interjected that she felt compelled to point out they were no longer pursuing the option of contracting with Washington County to prepare these meals. She stated a topic for discussion at the April 24th Health, Human & Services Committee meeting would be to try and determine what direction they were going in.

Supervisor Sokol apprised that he would like to personally apologize on behalf of the Board members for any stress this matter have caused the Cedars residents; however, he noted, sometimes matters took longer to resolve due to the fact that the Board only met once a month. He said this matter reminded him of a similar matter that occurred many years ago which took a significant amount of time to resolve involving Countryside Adult Home. He said since the Board members did not always make the correct decisions, their desire was to take their time on this matter to ensure they made the best decision and he requested that all those impacted bear with them.

Supervisor Dickinson informed he would like to respond to the comments made regarding the Gillette V. Warren County settlement. He said it had taken him six years to get to the point where he could state

"I told you so". He advised it had been an arduous six years, as he was new to the Board when he began his plight to request that they not pursue this. He remarked he concurred with Mr. Whitehead regarding this matter; he apprised the reason the County paid so much related to the fact that they had done so much "bad". He mentioned the three principals from the Board who instigated this movement were no longer members nor was the principal member who was supportive of his efforts. He explained what had occurred was the County encroached on one of its residents place of business and dismantled some structures located on his businesses property just prior to the business being opened for the season. He continued, some of this individuals personal property was loaded onto County vehicles and driven away with. He mentioned because of his background in the surveying business for fifty years he pleaded with the County employees not to follow through with what they were doing, but they did so anyway which was why they were at this point today. He advised he was unsure whether the settlement would suffice for all of the angst they had put Mr. Gillette through. He pointed out even though the County was in the wrong, Mr. Gillette handled the situation like a gentlemen which, he noted, was better than he would have handled it. He commented that he was pleased Mr. Gillette prevailed on this lawsuit, as it had cost him a significant amount of money and he hoped the County would never do something so foolish again.

Supervisor Braymer advised she felt this brought to their attention that the County was sued on a regular basis, but the Board members were unaware unless they read about it in the local newspaper or several years later they were being asked to allocate funds to pay for a settlement. She stated acknowledged they may not need to be notified about all of the lawsuits against the County, such as all of the ones that concerned inmates suing the County Jail; however, she noted, there were lawsuits occurring that they were not notified about so they could indicate to Ms. Kissane how they would like them handled, with the exception of the ones they had no control over because they were managed by the County's insurance. She continued, there were lawsuits which the Board should be informed about and paying attention to so they could determine how they wanted to respond. Supervisor Dickinson interjected that Supervisor Braymer's point was well taken, as he had argued continuously with the County Attorney and Chairman of the Board during the early stages of the Gillette lawsuit, but no one listened to him. Chairman Conover stated as a point of clarification he was not the Chairman Mr. Dickinson was referring to. Mr. Dickinson advised the Chairman he was referring to was no longer a Board member.

Supervisor Loeb requested roll call votes on proposed Resolution Nos. 156, *Amending Resolution No. 290 of 2015, Which Authorized a Contract with United States Geological Survey (USGS) to Supplement a Portion of the Funds Necessary to Continue Use of the USGS River Gauge on the Schroon River, to Increase Warren County's Cost of the Joint Funding Agreement*, 161, *Authorizing a Memorandum of Understanding with Leigh Anne Dorman, Victim Services Coordinator for Sexual Assault Support Services of Planned Parenthood Mohawk-Hudson, to Facilitate a Program to Reduce Recidivism for Girls under Probation Supervision in Warren County*, 172, *Resolution to Oppose the Proposed New York State Department of Labor Call-in Pay Proposed Regulations, Revising the Call-in Pay Requirements of the Minimum Wage Order for Miscellaneous Industries and Occupations (12 NYCRR Part 142 at §§142-2.3 & 3.3)*, and 173, *Resolution to Oppose the Proposed Elimination of the Minimum Wage Tip Credit Currently Being Evaluated by the Commissioner of the Nys Department of Labor*.

Supervisor Thomas requested a roll call vote on proposed Resolution No. 183, *Appointing Members of Traffic Safety Board*.

In regards to proposed Resolution No. 200, *Rescinding Resolution No. 133 of 2018, Authorizing Payment to Lake Champlain-Lake Regional Planning Board*, Supervisor Geraghty remarked he fully agreed with Supervisor Beaty, noting he was appalled with the entire matter and how they ended up in the current situation. He said although this may have appeared to be a good solution to those who required assistance from the Planning Board, he personally felt violated by the fact that some of the elected

officials from other Counties had relatives who received loans from the Planning Board, which was tied to the County. He appraised he felt it was wrong and they as elected officials should look in the mirror and disclose any relationships they may have with outside organizations that were tied to the County. He advised it was one thing to give out loans to people who needed them, but he was unsure if this was the case with the Planning Board. He informed he would not only like to review a loan aging report from them, but also to have the loans identified with more than initials or surnames because what was occurring was not right and it tainted all of the Board members regardless of whether they liked it because they were all elected to their positions. He added it appeared the issues with the Planning Board were going to impact at least two other member Counties and potentially more. He concluded by stating going forward he would not support this organization.

In response to Supervisor Braymer's comments on lawsuits, Supervisor Geraghty advised the Board members had been briefed on the lawsuit which was a result of an accident on a County Road in the Town of Hague, as well as the Gillette case, in prior years when they were in their infancy. He clarified he, as well as not the Chairman of the Board Supervisor Dickinson was referring to in his remarks about the Gillette case. He mentioned he remembers how adamantly opposed Supervisor Dickinson had been to the lawsuit, remarking he thought they did a disservice to Mr. Gillette. He added they were well aware this was coming, apprising it should have been settled a few years ago rather than carrying it along for so long. He concluded by stating although the Planning Board did good things, he had to wonder whether it was just a "piggy bank" for elected officials.

Supervisor Thomas appraised while he did not condone the actions pertaining to the loan fund the Planning Board had, he would like to bring to the Board's attention that the Planning Board was an umbrella organization for the AGFTC (*Adirondack-Glens Falls Transportation Counsel*), which was a municipal planning organization that applied for grants for Warren, Washington and the upper part of Saratoga County. He stated since the Planning Board was their umbrella organization, all of AGFTC contracts had to be through the Planning Board, as they were not permitted to apply independently. He added another organization who used the Planning Board as an umbrella organization was the Lake Champlain Basin Program which provided a significant amount of environmental funding for the Lake Champlain Watershed area. He informed he wanted to ensure everyone was aware of this because he believed part of the \$7,000 allocation the County provided to the Planning Board allocated to these two organizations to support the umbrella.

Supervisor Dickinson stated that all of his dealings with the Planning Board had been with their Planning Department, apprising that he was unaware they loaned money. He said from personal experience of being appointed to an outside entity's Board he had subsequently asked to be removed from, when Supervisors were appointed to an organization that loaned money to businesses and individuals who could not obtain conventional loans from a bank issues were most certainly going to occur, as there was a reason why banks would not loan them money. He added this appeared to be one of a few organizations who were affiliated with the County that provided this type of service.

Supervisor McDevitt advised he felt they should go through the loan portfolio and bring this matter to a conclusion. Chairman Conover informed he had relayed this exact message to Mr. Young. He added he felt they should be treated like the other organizations affiliated with the County and come to Committee meetings on a regular basis to provide an update on their activities and present their financial reports when they were completed.

Supervisor Braymer commented she fully agreed with the remarks Supervisor Geraghty made about the Planning Board and she questioned why the Local Development Corporation or Planning and Community Development Department could not take over some of their functions to ensure the AGFTC had an umbrella organization. Supervisor Thomas interjected he believed it related to the fact that the Planning Board was a regional organization that served multiple counties.

Supervisor Geraghty said he understood Supervisor Thomas's concerns relating to the AGFTC, apprising that they had relayed to him their concerns relating to where their funding would originate from now.

Supervisor Beaty informed it was apparent how little the Board members knew about the activities of the Planning Board by the fact that the majority of them concurred on the matter. He stated he was unaware of the Development Corporation they had set up and whether they were the ones who provided the loans; however, he noted, everyone was well aware that the County was one of five Counties who had oversight over the Planning Board and that some members of the Board were appointed to the Planning Board that did not even know they were appointed to it and never went to a meeting. He informed he could keep going, but the fact that they all knew so little about an organization they were in charge of overseeing which was handing out millions of dollars in loans was frightening to him and this probably should have been brought up before. He continued, the fact that the individual who was under investigation for alleged fraud implications had a check written to them by an individual named Mr. Tessier who was representing Warren County on the Planning Board should also be concerning. He informed he was unsure where this would end up; however, he noted, it should be a cause for concern for all of the Board members. He added he would be unsure what to say to any Board member who voted against proposed Resolution No. 200, *Rescinding Resolution No. 133 of 2018, Authorizing Payment to Lake Champlain-Lake Regional Planning Board*, as the County had potential liability on a number of fronts. He apprised although he believed the Planning Board had done a number of good things, he also felt some of their actions were questionable, and some maybe even something further than questionable, but he would let law enforcement agencies make this determination. He concluded by stating he would be astonished if the 19 out of the 20 member Board did not vote in favor of proposed Resolution No. 200 since one person would be abstaining.

Supervisor Wild pointed out how the Planning Board staff received their paychecks and benefits through the County and he questioned how they would be able to reimburse the County should one of their employees make a large claim on the County health insurance since the County had recently made the changeover to being self-insured on their health and prescription plans. He said he felt they should "go in deeper" in terms of the relationship with this Board, as well as other Board's. He apprised if they were totally engrossed in supporting them from an employee standpoint than the County was now totally liable. He stated he did not believe this was the intent of the original agreement with the Planning Board, but it was something he would suggest they look into as they moved forward.

Supervisor Dickinson voiced his concern as it related to the AGFTC, as the Towns of Lake George, Bolton and Queensbury, as well as the City of Glens Falls relied heavily on the Greater Glens Falls Transit to provide transportation for the seasonal employees and tourists. He apprised if they were to move forward with rescinding Resolution No. 133 of 2018 they needed to be prepared to respond quickly to the needs of the Greater Glens Falls Transit.

Supervisor Loeb remarked he did not believe delaying or not providing at all, a \$7,000 contribution would "make or break" any of the organizations the County dealt with. Chairman Conover reminded them the invoice for the Planning Board contribution had not been paid. He stated he felt the intent of proposed Resolution No. 200 was to send a clear message to the Planning Board.

In regards to proposed Resolution No. 156, *Amending Resolution No. 290 of 2015, Which Authorized a Contract with United States Geological Survey (USGS) to Supplement a Portion of the Funds Necessary to Continue Use of the USGS River Gauge on the Schroon River, to Increase Warren County's Cost of The Joint Funding Agreement*, Supervisor Loeb apprised he had requested a roll call vote on this particular resolution because of his concern relating to what he felt was an excessive cost. He said rather than pay for this contract they could put a piece of equipment in the water that would automatically relay all of the required data. He informed while he understood a County employee was looking into alternatives and this proposed Resolution could be adopted he would be symbolically voting in opposition to ensure

they were aware this could not continue.

Supervisor Simpson stated he believed he was the one who raised the issue during this month's Criminal Justice & Public Safety Committee meeting. He said there was existing equipment there, advising the data was imperative to provide flood warnings which was why he questioned whether this was the correct place since they were looking into other monitors in other places.

Supervisor Leggett advised the County was in a contract with USGS for services that they would like to increase by about \$3,000 for the duration of the contract. He stated the purpose of the resolution was to appropriate the \$3,000 in order to pay for this increase. He added there were ongoing discussions regarding how to create efficiencies going forward. Chairman Conover suggested that Supervisor Leggett request at the next Committee meeting that the Office of Emergency Services look into whether Supervisor Loeb's suggestion was a valid option.

Supervisor Merlino apprised his comments did not pertain to a proposed Resolution, but rather concerned the railroad. He informed he had expended a significant amount of time over the last several years working on the railroad. He remarked what was bothering him was that even with all the discussions and media coverage of the issues with SNCR it had yet to be mentioned that since 2011 when the contract with SNCR commenced they had paid the County \$602,160 through ticket sales, etc. He informed although SNCR owed the County past due payments for parts of 2017 and January of this year, he felt it was imperative for him to point out County had made money through their contract with SNCR. He remarked although he felt the past due payments were important, he was hopeful that a compromise could be reached to finish out the contract with SNCR. He pointed out SNCR had maintained the railroad tracks for the County, were awarded a grant to fix all of the signals at the railroad crossings and paid for any repairs required. He said he fully understood why they were losing money and needed assistance.

Supervisor Thomas stated as a follow up to Supervisor Merlino's comments he felt compelled to point out there was also about \$470,000 match to grants which were awarded to various communities throughout the County that was provided by the work the railroad did maintaining the railroad tracks. Supervisor Simpson added there were a number of moving pieces

Supervisor Wild requested through the Chairman that Ms. Kissane, Mr. Moore and Supervisor Loeb, who chaired the Support Services Committee to provide the Board with a listing of all of the current litigation that was against the County, as well as a summary which provided their status and Chairman Conover responded he would ensure this information was provided.

In regards to proposed Resolution No. 192, *Authorizing an Agreement with the Hadley-Luzerne School District for the Warren County Sheriff's Office to Provide Law Enforcement Services Within the Hadley-Luzerne School District*, Supervisor Braymer informed she had two young children who attended school in the City of Glens Falls School District and had been discussing safety with school officials who indicated they were working on a plan. She remarked she was conflicted whether there should be armed officers in schools. She added from her perspective they needed to ensure the County was covered for all of the expenses that would be incurred for these resource officers, noting the \$60,000 for this contract would not cover weapons, uniforms, training, etc. She mentioned she would not be voting in opposition since it was the School Districts choice to have officers in their schools, but she did like the fact that the County had the option of removing itself from the contract if the costs began to escalate or the Sheriff decided it was no longer feasible for them to provide the service.

Supervisor McDevitt apprised he was also conflicted about the gun issue, but at the end of the day he felt they had to leave the decision up to each individual school district to make their own decision.

Supervisor Braymer requested support of proposed Resolution No. 196, *Appointing Commissioners of Elections*, as she felt both Elizabeth McLaughlin, *Democratic Commissioner, Board of Elections*, and William VanNess, *Republican Commissioner, Board of Elections*, were doing a great job, apprising she was appreciative of their professionalism and objectivity to sensitive political matters.

Chairman Conover called for a vote on resolutions, following which Resolution Nos. 151-200, with the exception of Resolution No. 193, which was withdrawn.

During the roll call vote on Resolution No. 200, *Authorizing Payment to Lake Champlain-Lake Regional Planning Board*, Supervisors Dickinson and Frasier changed their votes from voting in favor to abstaining since they were appointed as members of the Planning Board.

Chairman Conover called for public comments from anyone wishing to address the Board on any matter.

Fred Austin, *Warren County Resident*, apprised he served as a member of the Lake Champlain-Lake George Regional Planning Board for thirty years per the State law which required the Highway Superintendent, which was part of his job at the County, and the County Treasurer be members of any regional planning board Warren County was a part of, with the remaining members being appointed by the County Board. He said although he retired seventeen years ago he had inquired if this was still part of the State law to which he received an answer in the affirmative; therefore, he stated, the new Superintendent of Public Works would be a member of the Planning Board. He informed the loan fund was separate from the many other duties of the Planning Board. He explained the loan fund was comprised of federal funding that was set aside in the annual Federal budget for this purpose. In regards to what the funds could be used for, Mr. Austin informed it was referred to as "the loan of last resort", requiring all applicants to submit certified proof that they were ineligible for a bank loan. He added all applicants were also asked if they had anything they could use as collateral to secure the loan. He stated during his tenure on the Planning Board there had always been at least one Supervisor appointed to the Board each member County.

Mr. Whitehead stated that he did not have a vast knowledge of the Lake-Champlain-Lake George Regional Planning Board, but he did believe Supervisor Thomas and others when they said the Planning Board did a significant amount of good work. He continued, the fact that they expended 75% of their funding on meaningful things did not take away their responsibility for the remaining 25%, nor did it take away their responsibility to ensure taxpayer funds were being expended correctly if that 25% was from the federal government and not their individual budget. He voiced his pleasure that they were continuing to ask questions whose answers would assist them with making the correct decisions. Mr. Whitehead apologized to Supervisor Sokol for becoming collateral damage through his attempts to bring some of these concerns forward. He continued, it was not his intention to focus on Supervisor Sokol; however, he noted, it had served its purpose, but it was unfortunate Supervisor Sokol had got caught up in it. He said he planned on doing the same thing to Supervisor Sokol right now, emphasizing that this was not against Supervisor Sokol or the decision from the Ethics Board the other day, as he would not be commenting on that, but rather the process which he found to be sickening. He stated there was no agenda for the meeting nor was it easy to be aware of the meeting. He advised one case was discussed in open session following which an executive session was declared; he informed due to other commitments he was unable to be present when the meeting came out of executive session, but he was made aware that following the executive session the Ethics Board brought up their findings regarding another case, as well. He pointed out the first case was discussed during the open session and public testimony was given for and against the matter, but the only discussion pertaining to the other matter that occurred in open session was the announcement regarding a decision. He apprised the only ones present during the executive session where the other matter was discussed was the

County Attorney, who had already issued an opinion on the matter, and the Ethics Board members, who concurred with this opinion. He questioned how it was possible to be a defender and a prosecutor at the same time, noting he was unsure where any of this information originated from. He remarked if this was the best the Board of Supervisors could do to convince the residents of Warren County that they cared about ethics, than his opinion they had a long way to go.

Chairman Conover called for announcements.

Supervisor Strough apprised he had attended the ribbon cutting ceremony for the redesigned Park Theater on April 18th and the following day had attended a meeting hosted by the Lake George Regional Chamber of Commerce & CVB at the newly redesigned Queensbury Hotel. He commended the Lake George Regional Chamber of Commerce & CVB for their efforts to attract new events to the region. He remarked under the leadership of former City of Glens Falls Mayor, Jack Diamond, and the current Mayor, Daniel Hall, he believed had accomplished great things through joint efforts. In conclusion, he stated this Sunday the City would be hosting an Earth Day ceremony in the downtown area.

Supervisor Beaty apprised the Ben Osborn Fund would be hosting their annual “Baskets for Ben” fundraiser in May. He stated the organization not only purchased books, but also provided assistance to children. He informed none of the funding received was used for administrative costs, advising 100% of the proceeds were used for charitable purposes. He stated the “Baskets for Ben” event was scheduled for May 11th and he encouraged all to become involved in some fashion.

Supervisor Braymer apprised she was appreciative of Supervisor Strough for being a champion for the downtown area of the City, remarking he had stolen her “thunder” for the Earth Day Celebration which was scheduled for this Sunday at noon in the City Park. She added it would be a soft launch for the solar campaign that the City and the Town of Queensbury were participating in together. She encouraged anyone who lived in the Town or City who had interest in placing solar panels on their home to do so this summer, as there would be discounts offered through the combined effort of the Town and the City.

Supervisor Hogan announced the Hudson River Whitewater Derby was scheduled for the first weekend in May, as well as the Northern Most River Keeper Sweep. She encouraged anyone with spare time to come over and assist them with cleaning up the river.

Supervisor Driscoll informed on April 18th he had attended the Adirondack Thunder hockey game, noting he was hopeful they would be advancing to the second round of the playoffs following tomorrow nights game. He advised a number of years ago he was appointed as the contract administrator for the Civic Center which consisted of him overseeing the operations there. He mentioned the County had a proud history of being a supporter of the Civic Center which, he noted, as a resident of the City, and as someone who attended a number of events there, he was appreciative of this continued support. He concluded by encouraging everyone to attend the Adirondack Thunder playoff game tomorrow night.

Supervisor Beaty announced there was an advertisement featured in this weeks edition of *The Chronicle* for the “Baskets for Ben” event at the Queensbury Hotel on May 11th. He stated there was a \$20 admission fee with hors d’oeuvres and refreshments provided and included a live auction and entertainment.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Simpson and seconded by Supervisor Braymer, Chairman Conover adjourned the Board Meeting at 12:18 p.m.