

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, SEPTEMBER 21, 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 10:01 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Wild.

Roll called, the following members present:

Supervisors Leggett, McDevitt, Braymer, Driscoll, Frasier, Simpson, Hogan, Dickinson, Strough, Wild, Beauty, Magowan, Sokol, Thomas, Hyde, Geraghty and Conover- 20 ;Supervisors Diamond, Loeb and Merlino absent- 3

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the August 17th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Hogan, seconded by Supervisor Dickinson and carried unanimously.

Proceeding with the Agenda review, Chairman Conover declared the Public Hearing on proposed ground lease agreements with Schermerhorn Aviation, LLC for construction of Hangar No. 7 and Hangar No. 8 at the Floyd Bennett Memorial Airport, Warren County, New York open at 10:03 a.m. and he requested that Amanda Allen, *Clerk of the Board*, read aloud the Notice of Public Hearing, which she proceeded to do. Chairman Conover then called for any public comment; there being no response, he declared the Public Hearing closed at 10:04 a.m.

Continuing with the Agenda review, Chairman Conover declared the Public Hearing open on proposed Warren County Local Law No. 4 of 2018 Entitled, "A Local Law Promoting the Use of Re-Useable Bags and Reducing Use of Single-Use Carry-Out Bags by Prohibiting the Distribution of Plastic Bags in Warren County" at 10:04 a.m. and he requested that Mrs. Allen read aloud the Notice of Public Hearing, which she proceeded to do. Chairman Conover then called for any public comment, noting the comments should be limited to five minutes.

Supervisor Merlino entered the meeting at 10:05 a.m.

A gentlemen advised that he had read in the local paper this morning that someone who attended the previous public hearing on the matter had suggested that the citizens take the ball on this issue through moving this to the market, indicating he would typically agree with this; however, he noted, in some cases individuals only focused on the present. He remarked that the Supervisors were responsible for ensuring that their constituents kept the future in mind. He requested that the Board assist the region in moving toward being environmentally responsible by supporting the ban on plastic bags.

Anne Lassell, *City of Glens Falls Resident*, suggested the Board members walk through their homes and take note of everything that was manufactured from plastic, noting none of these products would biodegrade back into the earth. She continued, in the middle of the Pacific Ocean there was a flotilla

made up entirely of plastic bags that was more than two times the size of the State of Texas and killed marine mammals that crossed into its pathway. She apprised she located no fewer than seven plastic grocery bags flying around during her walk at Haviland Cove Beach in the City of Glens Falls earlier this week. She remarked it was necessary to resolve this issue through the use of alternative bags. She urged the Board to approve the ban so that children did not have to live in a world with such a mess.

Ann Marie, *Warren County Taxpayer*, apprised her thoughts were from the health perspective. She said she had discussed the matter at length with her daughter, who was an environmental engineer, and her granddaughter, who was studying to be one. She stated she made a point to sit outside a grocery store the other day to observe where shoppers stored their reusable bags during which she observed a woman whose wet dogs had been sitting on the bags she brought into the store and another woman who had her children in diapers sit in top of her bags in the shopping cart. She mentioned she was aware from her prior experience working for the County in residents homes that there were several communities with bed bug and lice infestations. She pointed out if the County banned plastic bags and residents commenced with using fabric reusable ones, some of them would be from the homes with the bed bugs and lice resulting in the infestation spreading even further. She remarked she believed educating the public about proper disposal and recycling was a better way to deal with this issue than adopting a ban on plastic bags. She added she was aware that many people did not wash their reusable bags, noting she saw a gentlemen in the store the other day whose bag was covered in dried meat juice. She stated bags that were not properly washed and sanitized or were from home with bed bug infestations would cause health issues.

Lionel Lemery, *Town of Queensbury Resident*, stated he was a retired professional forester and land manager who had spent his entire life promoting professional stewardship. He voiced his support of banning the use of single-use plastic bags, advising the Board had a professional responsibility to read the June issue of *National Geographic* if they had not already done so which was entitled "Planet or Plastics". He informed the article indicated 18 billion pounds of plastic ended up in the ocean each year. He said humans had created a global environmental disaster due to their inability to manage plastic waste. In regard to the comments made at the prior public hearing regarding government intrusion, Mr. Lemery remarked he believed the Board of Supervisors not only had a duty, but a responsibility to address this issue and not kick the can down the road waiting for a higher form a government to do their job for them. He continued, the number one responsibility of the Board was to protect the health, welfare and safety of their constituents. He apprised the unregulated and un-managed plastic waste that was in society was a threat not so much to those presently here, but to future generations which was why this was being discussed today. In regards to the comment made that the marketplace and citizens should move the ball, he stated the marketplace was who created this environmental disaster as a result of it being more profitable and cheaper to produce throw away items from a non-renewable resource and continue to let the public do as they please. In response to the statement made that the ban would hurt businesses and in particular with tourism, Mr. Lemery countered with the fact that tourists could be provided with an attractive reusable bag which contained a message that explained the beauty of the region while also demonstrating the County's commitment for protecting the environment to allow tourists to continue to come here and enjoy it. He remarked he felt it would be appropriate for occupancy tax funds to be used to subsidize the production of a large quantity of these reusable bags with this message to allow the tourists to take them home with them to use in their daily life, as these bags would advertise the region to their friends and families through the promotional message on the bag about this region. In regards to the comment made that it would significantly increase costs, he advised he had obtained the large quantity of reusable bags he had in his home for free. He added that he did not believe requiring tourists to expend an extra dollar or so for a reusable bag would deter them from returning to the area. In summary, Mr. Lemery stated the County needed to address this issue, informing the most effective way to make a change was at the grass roots level

and not waiting for a higher level to do so for them. He continued, they had waited long enough for it to become a problem as supported by the fact that it was not uncommon for him to pick up a half a dozen plastic bags when he was volunteering for the Feeder Canal Alliance to clean up the waters edge and waterway. He added he had also noticed several plastic bags just out of view on the side of the road when he rode his bicycle to the Town of Queensbury Offices. He implored with them to research the global issue with plastic waste and to do the right thing by adopting a the ban on plastic bags.

Willow Hogan, *Town of Johnsbury Resident*, advised there was only one real thing they were present today to discuss and that was the future. She pointed out she had not observed anyone who was arguing against the plastic bag ban state that plastic bags were not bad for the environment or that they did not biodegrade because it was a fact that these would still be here long after a decision on the matter was made. She said she could expend an entire day providing statistics such as the fact that the average American family used 1,500 bags per year or that less than 1% of plastics in the United States were recycled, but this would not change anyone's mind. She apprised statistics assisted with helping individuals understand and surveys and studies provided background information for arguments; however, she noted, this did not really matter because it was not necessary to have those in order to see what was occurring right in front of them. She mentioned she had observed eleven plastic bags on her drive to the County today on the roadside, hanging from trees and bushes. She said there was other plastic, as well, but that could be a discussion for another day. She advised it was necessary to start somewhere to solve the issue with plastic bags. She informed since she was only sixteen she was too young to vote or to run for office herself which was why she was requesting that the Board act on this matter. She requested that they look beyond the problems of today and to look to the health and well being of tomorrow. She stated that most individuals under the age of twenty- five were in favor of the ban, as this was their future and she asked that they not add to the list of issues they were going to have to solve. She said although this was the Board's decision to make it was theirs to live with.

Bernice Menna, *Town of Fort Ann Resident*, informed although she did not live in Warren County she did the majority of her shopping there. She voiced her support of the ban on plastic bags because she felt it was the right thing to do and it could be done. She apprised it was their responsibility as individuals and as a community to move beyond the convenience and realize there is something larger than them. She stated she believed individuals littered because it was easy, but she believed society could be retrained to become more aware of the impact of their actions. She stated although banning plastic bags here would only have a minuscule impact on this global issue, it supported the fact that the community was doing its part to assist with alleviating the issue. She said this was part of that probing to ask that they look beyond individual convenience and be aware that there was a world that everyone wanted to save. She remarked she felt responsible for the world, apprising she would leave it in a better place. With regards to the comments made about the difficulties associated with the ban, Ms. Menna pointed out several cities and countries had moved forward with either a ban or imposing restrictions that made it difficult to use plastic bags thereby supporting that it was possible to implement. She stated although it was not feasible to change the entire world it was possible to make small changes that would assist with addressing the environmental issues. She concluded by urging the Board to move forward with adopting a ban on plastic bags, noting this was one of the little things that could be done to assist with the overall well being of the world which was the right thing to do.

Carol La Grasse, *Town of Stony Creek Resident*, stated that she had worked as a civil engineer for a firm whose work centered around solid waste disposal. She indicated that China was no longer accepting recycling from the United States due to the one stop recycling carried out here. She provided an overview of her and her families background with recycling, which she had been doing for seventy years. She remarked she did not believe that the plastic bags shoppers received were the cause of the issue with plastic, pointing out a lot of the clothes individuals wore contained plastic in them. She

stated she found it hard to believe the 18 million pounds of plastic mentioned by someone earlier was comprised solely of plastic bags. She informed the plastic bags provided by stores were recyclable and could be reused, re-processed and were heat generating, as well as being a good source of fuel. She stated she and her husband did not use the plastic bags from the store unless they forgot their reusable bags at home, noting Price Chopper offered a \$.03 rebate for those who brought their plastic bags back to the store to recycle. She commented she believed the proposed legislation missed the mark, as the small difference this would not have much of an impact and this was more of what she would refer to as "feel good" legislation. She informed the solution she offered consisted of the Board creating a line in the County Budget to facilitate a recycling program which made it easier for residents to access places to recycle products including plastic bags.

Joel Bobick, *City of Glens Falls Resident*, advised he fully supported the proposal made by the prior speaker, as he felt this was the most sensible solution since the majority of the issues with plastic did not necessarily relate to plastic bags. He said he did not think it was appropriate to place an unfair burden on those who purchased more groceries than what could fit in their reusable bags because they purchased more than they had originally anticipated. He remarked while he understood upon occasion plastic bags did end up in the waterways or on the side of the road he believed most responsible people tried to reuse the plastic bags they obtained from the store. He advised as previously stated the Board should be encouraging shoppers to properly recycle their plastic bags.

Chris Harrington, *City of Glens Falls Resident*, stated he would like to make a few points, the first of which pertained to the impact this would have on small businesses. He said it appeared as if the government whether it be local or State were repeatedly passing laws that negatively impacted small businesses, apprising his hope was for some of these laws to be redacted or changed. With regards to the argument that plastic bag litter was present everywhere, Mr. Harrington advised during his bike rides from the City to the Town of Lake Luzerne he had observed a significant amount of cans, disposable coffee cups, do not litter signs, but no plastic bags. He apprised if the purpose was to fix the problem than an effective law should be developed. He remarked he understood the desire to be conscious about the world and take the lead; however, he noted, he did not believe this was an issue here. He mentioned his final comment pertained to personal responsibility which he believed had gone to the wayside, noting said he always recycled plastic bags when he was done using them. He stated with regards to the fact that China was no longer accepting recycling from the United States, Mr. Harrington suggested the Board contact Hannaford or Price Chopper and inquire where these bags were taken to be recycled. He advised from his perspective of having a family of five, he felt this change would be challenging for families as large as his. He remarked that he thought a significant amount of effort was being expended for a local law that would not have a large impact on this region. He implored with the Board to listen to the public, who he felt the majority of were not in support of this law.

Travis Whitehead, *Town of Queensbury Resident*, advised if this proposed bag ban would truly reduce the hydrocarbon waste and littering that everyone was aware of than he would be requesting that the Board pursue the ban. He said he had supported the proposed ban over the past several months because he had assumed the ban would result in a reduction; however, he noted, upon further review he had grave doubts about this working. He said this was not referring to turning off a spicate on a plastic chain, but rather changing the behavior of people which would be difficult to do. He informed the plastic bags used in stores today were a half a mil thick and the County's proposal would not permit bags under 2.5 mils thick which, he noted, was five times thicker than the ones presently used. He remarked if behaviors did not change than this law would result in five times as much plastic being placed into the environment as was going in today. He mentioned even if half the residents switched to using reusable bags there would still be 2.5 times the amount of plastic put into the environment

than what was being done presently. With regards to behaviors and incentives, Mr. Whitehead stated grocery stores currently paid around \$.02 per plastic bag, but a heavier bag would more than likely cost them about five times more than that and paper bags were even more expensive with an estimated cost of \$.015 per bag. He pointed out stores attracted customers through sales, coupons and incentives which was why he doubted they would consider increasing their costs by purchasing more expensive bags for their customers to use. He continued, this was the "American Way", noting he was unsure whether the proposed legislation even addressed this. He referred to stores such as Aldi's, Sam's Club, and BJ's Wholesale Club, who required shoppers to bring their own bags or use the cardboard containers they provided in store to carry out the products purchased. He suggested that these stores be used as a model for a solution to this issue and determine what worked and encourage others to follow by offering awards to stores such as Aldi's or working with the management of stores to determine what could be done to persuade them not offer plastic bags. He apprised it would not take a lot of thought once individuals had adjusted to going without plastic bags. With regards to the water fountain outside of the Board Room which included a dispenser for plastic cups, Mr. Whitehead informed he could guarantee that unless a deposit was required for these cups that every one of them ended up being burned at the trash plant. He apprised another thing they should consider was to not miss the mark,

Bob Fallmann, *Town of Queensbury Resident*, voiced his opposition to the proposed ban on plastic bags due to the fact that he found them to be useful for several things such as lining garbage cans, picking up the trash along the road and to dispose of pet waste. He said he felt plastic bags had an "afterlife" meaning it did not have to be reprocessed to use for other purposes. He said while he did not doubt they could be found in trees upon occasion he had never found a plastic bag on the 1,250 feet of road front property he owned in the Town of Queensbury other than the once and it contained a dirty diaper which was another use he neglected to mention earlier. He remarked he did not support adopting what he referred to as patch work legislation that was not universal across the State. He cautioned the Board that adopting the proposed legislation could negatively impact tourism which the County so heavily relied on, as it was placing a burden on the visitors who came here. In response to those who had indicated plastic bags littered the bottom of Lake George, Mr. Fallman countered that he had never observed plastic bags in the portion of Schroon Lake that bordered his properties when he was snorkeling nor had one ever washed up on his beach. He stated he believed unless something had changed the trash in Warren County was burned at the burn plant in Washington County meaning these plastic bags were not contributing the filling up landfills nor were they on barges that dumped the trash in the middle of the ocean. He added these bags also provided fuel for the incinerator that produced electricity.

Jim Calvin, *President, New York State Association of Convenient Stores*, informed that their association represented chain and independent retailers in Warren County and across the State. He thanked the Board for giving him the opportunity for offering the perspective of a mini mart that would have to comply with whatever action deemed appropriate by the Board on plastic bags. He advised that thousands of Warren County resident had started their day today with a stop at a local convenience store for coffee, food, gas, etc. He explained these stores purpose was to be open and have in stock what the customer needed and to get them in and out as quickly as possible in a friendly manner. He mentioned their members strived to be environmentally responsible by recycling a significant amount of corrugated cardboard every year, hundreds of thousands of beverage containers and constantly upgraded their lighting, HVAC systems and fixtures to improve energy efficiency. He stated these businesses invested millions of dollars to ensure compliance to stringent EPA and NYS DEC standards on underground petroleum storage tanks. He informed convenient stores were in the convenience business of which one convenience they provided was a plastic bag to customers who needed them, especially for frozen or refrigerated products such as milk, ice cream or bagged ice for which paper

bags were not a viable alternative and more specifically for senior citizens or customers who were on foot. He mentioned that they had been trying to eliminate unnecessary plastic bag consumption, but they were opposed to banning plastic bags altogether. He requested that the Board keep in mind the high percentage of customers who visited their stores were unplanned unlike those to a grocery store where people are more likely to remember to bring the cloth reusable bags. He advised his association was open to discussing alternatives with the Board such as incentives to provide consumers with encouragement to switch to using reusable bags, but to date no one had contacted them to ask their opinion. He opined the only thing worse than a ban on plastic bags would be a partial ban that arbitrarily allowed favorite businesses to continue handing out plastic bags. He advised some of today's convenient stores had a wider selection of prepared foods than some restaurants and yet under the proposed law restaurants would be exempt. He questioned why this would be since a plastic bag was a plastic bag no matter where it originated from and if there was going to be a ban he felt the Board had an obligation to be fair and ban them across the board. In conclusion, he stated that their association cared about the County's environment; however, he noted a ban on plastic bags would turn convenient stores into "inconvenient stores" which was why they were opposed, but open to discussing other alternatives that would assist with achieving the goals of the full Board.

Mona J. Golub, *Representing Price Chopper/Market 32*, advised she had been misquoted in an article featuring her which was why she was pleased to have the opportunity to be present today and directly address the Board. She commenced by thanking the Board for their persistence on this issue and their desire to drive a sustainable result. She informed Price Chopper/Market 32 was fully supportive of the effort to reduce the number of plastic disposable bags in the waste stream and as such had been encouraging the conversion to heavy duty reusable bags since the early 2000's by collecting and recycling single thin film plastic from each of their stores through their resource recovery center located in Rotterdam, New York for about thirty-five years now. She mentioned unlike most retailers, as had been stated by a few different speakers today, they offered a \$.03 rebate for each bag returned to them for reuse; however, she said, their thinking expanded upon the Board's in a few notable ways. She stated the proposed legislation equated single-use carry out bags to thin film plastic alone and defined handleless paper bags as heavy duty reusable alternatives, but her organization considered handleless to be as disposable as thin film single-use plastic. She remarked failing to acknowledge the disposability of handleless paper bags and presuming that they would replace plastic ones was neither an environmentally or financially sustainable solution. She informed the carbon footprint behind the production and distribution of paper bags was wholly inefficient and reeked habit on the forests. She added despite popular myth they were more costly to recycle and they did not biodegrade easily in landfills given their inherit lack of oxygen. She apprised from the consumer perspective paper bags made an equally compelling case due to the fact that they were difficult to carry and ripped easily meaning they were rarely used for a second time. She stated the nature of disposable bags was for them to be used once, as they were not customer friendly which was essentially why paper bags went out of style forty years ago and why fewer than 1% of customers asked for them today. She added they also cost three times more than the plastic bags. She stated relative to another of the three heavy duty reusable alternatives that were proposed in the legislation was that they did not foresee slightly thicker plastic bags as a solution, as they were only fancier versions of thin film plastic bags. She pointed out the proposed law allowed for banned thin-film plastic bags to be returned to the store for reuse, advising this would create an unnecessary challenge for those attempting to comply with and/or enforce the law. She questioned why they had made an exception for take out restaurants if they were going to ban the bags for environmental reasons than the noble intent should be across all lines. She stated more conversation regarding WIC and SNAP recipients and how they would be equipped to comply with an outright ban was imperative, but she had not heard anything about this despite the fact that she had brought it to their attention similar public hearings across the State others. She advised that retailers could not be expected to supply heavy duty reusable bags to these individuals each time

they shopped and by law SNAP recipients could not be stigmatized by receiving a disposable bag that had been banned for everyone else. She informed given the \$.03 rebate their stores offered they were able to measure something their competitors were not which was that 10% of their customers returned to their stores for reuse. She said this meant 90% of the community did not meaning all of these individuals would need to change their behavior in order to comply with a ban, noting this would be a real challenge. She pointed out in Great Barrington Massachusetts where a bag ban was adopted about six years ago neither plastic nor handless paper bags were given out for free. She explained that handled paper bags were sold at cost for \$.10 as a transitional reusable alternative and as a result 75% of that community had converted to heavy duty reusable bags. She continued, in Shrewsbury Massachusetts and Brattleboro Vermont where a plastic only ban was adopted the majority of the community had converted to handless paper bags and only about 15% of those communities converted to heavy duty reusable bags. She apprised that in Suffolk County in Long Beach, New York had adopted legislation which charged \$.05 each for paper or plastic bag last year following which 80% of the community converted to heavy duty reusable bags and Warwick, New York was preparing to pass the same. She stated several other communities were discussing hybrid legislation which banned plastic bags and charged a fee for paper bags so as to discourage the use of both. She mentioned they were supportive of State-wide legislation which had a noble intent and leveled the playing field for all businesses and all consumers so as to not create inconsistencies from one municipality to the next they acknowledged the State's hesitation and believe that the best crafted legislation would come from collaborative efforts through engaged municipalities that took all of the details into consideration and applied them accordingly. She stated simply enough of those whose results most effectively diminished the disposable waste stream would serve as models for the State. She noted some retailers avoided this issue like the plague as if it would go away while others quietly accepted whatever legislation was proposed however incomplete or unsustainable without sharing their perspective or the valuable insight of their experience. She advised as integral partners to the execution of whatever legislation was ultimately adopted she felt it was important to voice their truths and contribute to its crafting. She pointed out the ultimate goal would be to diminish the use of disposable bags, both paper and plastic and how best to decrease reliance on them in favor of heavy duty reusable alternatives whether that be bags, boxes, totes, etc. She advised that they at Price Chopper/Market 32 were committed to working with engaged elected officials, consumers and environmental advocated on a long-term solution everyone could be proud of.

Stephanie Mason, *Cleverdale Resident*, commented she had no doubt that everyone who had spoken today wanted to be responsible to the environment, noting she felt a number of good suggestions had been made specifically regarding changing behaviors. She mentioned she had just returned from the United Kingdom where they required shoppers to pay for bags if they did not bring their own. She said this reminded shoppers of two things, the first of which was that they did not want to expend money for a bag and also to remember to bring a cloth bag to the store the next time they went shopping. She apprised she was not in favor of going back to using paper bags because she was aware they were not easily recycled; however, she noted, she did not like plastic bags either due to the fact that as a nation of convenience this was part of the issue in that individuals tended to ignore what was not visible to them. She stated the research supported that these plastics broke down over time into small pieces that were no bigger than a sesame seed and were in the air and were found in people's lungs, the soil, water, food, seafood, animals, waste water systems, sewer pipes and oceans, adding the floating debris that was between Hawaii and California was currently twice the size of Texas. She remarked she thought it was indicative for the United States to remain using what was convenient and she urged the Board to keep in mind even though they may not be visible, this was impacting everyone. She said she was hopeful a solution would be developed which would begin to work on changing people's behaviors.

Diane Collins, *City of Glens Falls Resident*, stated she would like to discuss the momentum that was on-

going in the community pertaining to caring for the environment. She said as an example the Town of Queensbury and the City of Glens Falls had recently been named clean energy communities. She stated the City had formed a task force comprised of citizens and elected officials to work on the steps to become a smart community. She pointed out caring about the environment had become a standard here, and she informed SUNY Adirondack was featuring a film series about the environment. She mentioned she had been expecting a louder outcry to ban plastic bags, but she did not believe this was occurring. She advised the residents were aware of the incredible waste these plastic bags created and the damage they did to the environment. She indicated her willingness to become a member of a task force whose purpose was to assist with implementing the ban. She said although the ban here would be what was considered to be a small action, it would have a significant impact through the increase of environmental awareness as the public was educated as to why this was occurring. She apprised it could not be underestimated that everyone would be allowed to participate in caring about the environment through the ban on plastic bags. She stated rather than being a deterrent to tourists it could highlighted why this action was being taken which she believed could in fact increase tourism, as visitors would enjoy coming here and the residents here would be pleased they were here. She reiterated a task force could be established with members of the public and elected officials to develop approaches for enacting the ban. She concluded by urging the Board to vote in favor of a ban on plastic bags, adding going forward they might run into some difficulties along the way, but it was in the right direction.

Michael Bittel, *President/CEO, Adirondack Regional Chamber of Commerce*, advised he had taken away a significant amount of useful information from the meeting on Wednesday night and he thanked Don Lehman, *The Post Star*, for reporting on this issue. He mentioned he and his wife were huge proponents of reusable bags and they used them, adding he was also a supporter of the environment who regularly went hunting and fishing. He stated one thing he neglected to mention the other night was that he enjoyed how much intellect and talent there was in Warren, Washington and Saratoga Counties. He mentioned during his employment at B. King Arthur Flour Company he was charged with being the lead on all of the environmental initiatives for the company which included working with their farmers to reduce water intake and output by 80% thus mitigating the fall and drop in the Ogallala Aquifer which was located in the middle of the Country. He added he also worked with the transportation division to ensure all of their transportation and energy costs were cut by 60%. He remarked it was imperative to save the environment and be mindful of the future health of the planet. He apprised that he believed everyone present had the best intentions for the environment. He said the reason he mentioned winners and losers at the previous meeting was because the proposed legislation included exceptions for certain segments of the population with regards to businesses and this to him was picking winners and losers. He stated either the bags were bad or they were good. He concluded by stating the reusable bags would have to be used 133 times in order to overcome the footprint of the ½ mil non reusable bag and the thicker plastic bags which were part of the proposed legislation they would have to be reused at minimum of five times. He stated this was referring to changing human behavior which Ms. Golub had indicated was extremely difficult to do with 90% of human behavior not changing even when bag bans were in place. He reiterated changing human behavior was difficult to do, apprising those who used reusable bags needed to be mindful that not everyone thought the same or went with the same behavior. He concluded by stating while the current proposed legislation did have good intentions it would result in more harm to the environment than good and he urged the Board to review the proposed legislation thoroughly, consider other solutions and utilize the large stores in the region, as well as the Chamber and their 800 members to develop a more appropriate action. He suggested that they review minimal recycled content in a bag, as this was something they had carried out at his previous employer which did make a difference while still overcoming the consumer habits in the United States which was hard to change even when it was with the best intentions.

Phil Wettersten, *Town of Queensbury Resident*, apprised he had spoken at the last meeting about some environmental and health concerns relating to plastic waste in the County during which he mentioned that Darren Fresh Water Institute did not currently measure for plastics content in Lake George as part of its Jefferson Project Initiative. He mentioned although it may not appear that there was plastic in the Lake everyone should remember the remarks from the diver he quoted at the last meeting. He said he had also referred to micro plastics which were remnants of larger plastics polymers that were invisible to the human eye which made their way into our bodies and the surrounding eco systems similar to BPA and other molecular health concerns. He advised ultimately environmental and other health issues were his own motivation for supporting this ban. He said he understood that others had different priorities and perspectives, more specifically those with an economic stake in the County. He remarked he was present today to address some of the concerns that those individuals had expressed about the ban. He stated before he began he would like to ensure they were aware that he had no intention of disparaging anyone with opposing views both today and at the last meeting. He apprised that many individuals had made points that he and presumably others had not considered when forming their own opinions. He mentioned he was present today because he had conducted some research and he would like to offer counterpoints and hopefully expand the conversation on five of those concerns mentioned at the last public hearing, the first of which was that the ban would result in higher costs for businesses and retail owners. He advised one thing that he found was overlooked at the previous meeting was the fact that selling reusable bags could function as an additional source of revenue for local businesses. He indicated the burdened business owners would not be the difference in price between paper and plastic bags and their reusable alternatives. He said during the five minutes he had expended researching bulk reusable bags he found reusable bags that could be purchased in quantities of 100 at \$.59 per bag. He added although this was more expensive than plastic bags they could be sold for up to \$2.00 per unit resulting in a profit. He remarked that he felt this was an excellent way to offset costs associated with switching to reusable bags. To those who would state he was not focusing on paper, he advised that he had found the grocery paper bags with handles online at a cost of \$.59 per bag and as previously mentioned the profit margin on reusable bags would be an appropriate way to offset this cost for local businesses. He informed the next remark made that he would like to respond to concerned how the County was dependent on tourism and revenue generated from such would go to neighboring counties if the ban was passed. He apprised from the business perspective he would like to point out the success of the individual at the last public hearing who mentioned he owned a store that sold beef jerky. He said this individual had indicated that his store boasted the second highest sales in the County of any firm within that institution and yet his executives did not know where Lake George was located. Mr. Wettersten mentioned first and foremost visitors come for the lake and this would not change as a result of a bag ban. He continued, companies would not pull out of the County because they were aware of that fact that if they did five other companies would be competing to take their place due to the revenue potential. He stated it was the same for local businesses and regional and international corporations where they could earn money by selling reusable bags. He informed of a great point brought up earlier pertaining to how this could function as a way to advertise Warren County tourism to other regions of the Country. He said from the perspective of a consumer Warren County was an isolated retail hub, pointing out you would have to drive over thirty minutes from the hotels in Lake George to the Wilton Mall in order to have a shopping experience similar to the outlets with the closest outlet stores located in Manchester, Vermont. He indicated the third comment he would like to provide a counter to was that this was going to feel like a tax on the consumer, advising that according to the U.S. Labor Statistics the average U.S. household expended \$550 on groceries per month which equated to about \$135 per week. He stated if he estimated worst case scenario for reusable bags and the consumer expended \$20 on an annual basis on reusable bags than over the span of the year this would equate to about \$.38 per trip to the store which had different impacts on the different classes of people; however, he noted, in the grand scheme of things \$.38 was a minimal addition to any grocery budget. He stated the fourth comment he would like to provide a rebuttal to

pertained to health concerns associated with the bags. He informed that bed sheets could cause eczema and spread MRSA if they were not washed as was the case with clothing and dish rags, as well. He stated reusable bags could be cleaned in the washing machine or just by using soap and water. With regards to the comments made by Mr. Bittel at the last meeting that they should let the market move this ball, Mr. Wettersten advised he did not claim to be an expert on the business climate in the County like Mr. Bittel; however, he noted, he had recently completed his undergraduate degree in economics and he was well aware of the theory Mr. Bittel was referencing. He informed capitalist economic theorists suggested that there were economically efficient levels of pollution which were impossible to quantify at the end of the day, but these levels fell to very specific marginal cost benefit analysis. He said this meant if a local community was expending \$400,000 to save an additional one pound of waste from entering the environment it would be interpreted as the cost outweighed the benefit; however, he noted, in the majority of scenarios this economically efficient level in communities was above what was considered to be socially optimal. He continued, socially optimal was an admittedly subjective concept and difference between individuals, but the notion of guiding the market in this theoretical area was why there were real world policies, admission taxes and miles per gallon requirements on cars. He explained the issue with this theory in the instance of Warren County was that the market required perfect information to reach a truly optimal point meaning perfect knowledge and the exact benefits and consequences associated with plastic bag use in order to arrive at a truly optimal market level. He continued, unfortunately as he had previously mentioned scientific organizations within Warren County did not have data on plastic levels in the environment so there was no way to know for sure how bad the issue may be. With regard to cost, he stated that he had demonstrated that the cost to businesses and consumers might not be as daunting as individuals originally thought at first glance. He mentioned after all this was said he did not feel the plastic bag was the most significant threat to human environmental health in the County, but he did believe that everyone would agree they would be making the ecologically safe decision by implementing the ban. He remarked he believed shaving the top off of the iceberg mentioned earlier may not be the most meaningful in sense of its gross size, but it was a very symbolic and important step in laying the first brick on the road to a cleaner future. He apprised with what he had presented today he felt it made perfect sense to implement this ban in the County, noting retailers would not suffer decreased profits, tourists would not flock to other counties to make their purchases, households would not bear the burden of a substantial bag tax and human health would not deteriorate from human bag usage. He continued, all the while the County would be invaluable reducing the amount of plastic making its way into our bodies and the ecosystem even if we were unsure as to the exact magnitude. He implored with the County to take the lead on this issue because of the beautiful landscape, noting they should not be gambling with the place they were fortunate enough to call home.

Catherine Atherdon, *Town of Queensbury Resident*, apprised that she would be pleased if the County concentrated more efforts on recycling, but according to the statistics she had read even after offering a significant amount of education on the matter only 5-15% of plastic was recycled. She said she interpreted this to the fact that the community was so addicted to convenience that they were not paying too much attention. She stated she could attest to the fact that change was not easy through her work over the past three years on this initiative. She encouraged anyone who had not watched the movie "Bag It" to do so, as it was as informative as the article regarding plastics featured in *National Geographics*. She mentioned she would be pleased if individuals took responsibility for their environment and did the right thing, but they did not. She informed single-use plastic bags had a cost which was passed on to the consumer. In response to the comments made by Mr. Bittel at the previous public hearing pertaining to the States that had originally imposed a bag ban and/or reduction, but then rescinded them, Ms. Atherdon countered according to her research this was not accurate. She said what really occurred was certain municipalities in the State instituted bag bans following which the State adopted a law that essentially negated any bans from transpiring due to the pressure the State

had gotten from the plastic bag industry. She remarked it made no sense to her nor should it make sense to anyone that a non-renewable resource which took hundreds of thousands of years to create was being used to produce products such as single-use plastic bags which were only used typically once or twice at the most before they were thrown away. She added as previously stated by others plastics were never truly thrown away since they broke down into tiny particles which ended up in waterways, air and fish ultimately impacting everyone. She informed the County was not an island where plastic only existed outside of its borders, apprising it was part of the world. She concluded by urging the Board to move forward with implementing a ban or reduction on single-use plastic bags either through a ban or some other method, encouraging the Board not to set this aside and take no action in the long-term. She concluded by suggesting that they involve the community and take some form of action.

Tom Krivitski, *City of Glens Falls Resident*, advised his search this morning found studies by Governor Cuomo and the NYS DEC regarding this issue and how it had a worldwide impact. He said changing behavior was difficult to do since everyone was habitual with their thoughts and actions. He mentioned it was human nature not to think very far into the future and what was really required was a paradigm shift away from the chemical industry. He said while he understood this issue was a small facet of the global issue with plastics, but the longest journey's started with single steps. He implored with the Board on behalf of their constituents health and the future of the world to adopt the proposed law.

Chairman Conover called once again called for any comments regarding the proposed Local Law No. 4 of 2018; there being none, he declared the Public Hearing closed at 11:19 and he announced there would be a short recess.

Recess was held from 11:19 a.m. until 11:28 a.m.

Upon reconvening, Chairman Conover announced for the record all correspondence both for and against the proposed ban on plastic bags would be entered into the record and copies had been distributed to the full Board.

Resuming the Agenda review, Chairman Conover declared the Public Hearing open 11:29 a.m. on proposed Warren County Local Law No. 5 of 2018 Entitled, "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 he requested that Mrs. Allen read aloud the Notice of Public Hearing, which she proceeded to do. Chairman Conover then called for any public comment.

Gina Mintzer, *Executive Director, Lake George Regional Chamber of Commerce & CVB*, applauded everyone involved with writing this amendment, as she believed this was an appropriate first step to take for them to work with short-term vacation rentals with the goal of leveling the playing field of the short-term vacation rentals with those who were currently abiding by the Warren County Occupancy Tax Law within the hospitality and accommodations industry. She stated looking to the future she hoped they could all work together on what the next steps would be once the amendment took place in terms of regulating those short-term vacation rentals.

Mr. Whitehead stated he had no issue with the proposed legislation other than the fact that it changed a definition that was placed in there by the State in 2003. He said he felt the State should be the one who should change this definition, adding he did not believe this would be difficult to get them to do and he hoped Assemblyman Stec and Senator Little would review matters such as this.

Chairman Conover called once again called for any comments regarding proposed Warren County Local Law No. 5 of 2018 Entitled, "A Local Law Amending the Warren County Occupancy Tax as Authorized

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by Act of the New York State Legislature (Chapter 422 of the Laws of 2003)”; there being none, he declared the Public Hearing closed at 11:31 a.m.

Continuing with the Agenda review with the report by the Chairman of the Board, Chairman Conover advised he had attended the joint Personnel & Higher Education and Finance Committees meeting on August 7th along with representatives from Washington County at SUNY Adirondack during which their Capital Plan was reviewed and approved. He mentioned later that afternoon he had attended the ribbon cutting ceremony for Adirondack Hall at SUNY Adirondack with Supervisors Sokol, Geraghty and McDevitt and he encouraged all who had not had the chance to take a tour to do so, as he was thoroughly impressed by this facility which was an asset for the College. He advised he had applauded the efforts of the County Administrator for his work on the Warren County Shared Services Property Tax Savings Plan at the August 13th meeting of the State-Mandated Shared Services Panel which was subsequently approved by the Panel members. Chairman Conover apprised he had toured Countryside Adult Home with Supervisors Frasier and Simpson on August 18th, noting he was pleased with how clean and well managed the facility was. He added due to the age of the facility he felt it was likely they would be entertaining some requests for items that needed to be addressed in the future. He informed he had attended a meeting of the EMS Task Force later that day during which they reviewed a substantial amount of information that would aid them with future decision making. In conclusion, Chairman Conover advised he had the opportunity to attend the grand opening of the new Adirondack Information Center located between exits 17 and 18 of the Adirondack Northway and he encouraged anyone who had not had a chance to visit the facility to do so. He stated he thought the Center was an asset to the region as a gateway along the Corridor.

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

Supervisor Wild indicated he had nothing to report on.

Supervisor Beaty advised the County’s Shared Services Committee had not met last month, but he would like to acknowledge Ryan Moore, *County Administrator*, for the outstanding work he had done preparing the Warren County Shared Services Property Tax Savings Plan. He thanked the public who attended the meeting today and voiced their opinions, as he believed this was democracy at its very best. He said everyone’s comments were civil and well thought out and all were respectful of each individuals view point. He remarked what he had observed today and Wednesday night provided him with hope that at least in Warren County they were headed into the right direction.

Supervisor Magowan stated that he was thoroughly impressed with the plan Mr. Moore had put together pertaining to shared services. He added he would also like to thank everyone who had attended the public hearing on Wednesday night and this morning on plastic bags, as he found all of the comments to be very informative.

Supervisor Sokol informed the Finance Committee had met on August 30th and again on September 7th, approving proposed Resolution Nos. 349-350 and 377-383. He acknowledged the staff of SUNY Adirondack for the exceptional work growing the College to where it was today. Supervisor Sokol advised he was not only impressed, but also energized by the attendance at the meeting on Wednesday night, as well as this morning and he pointed out how this demonstrated the interest in this matter. He said he believed they should take one of the suggestions made and create a task force to assist with determining what the next step would be moving forward. Supervisor Sokol offered privilege of the floor to Mike Swan, *County Treasurer*, to provide the monthly update regarding the County’s finances.

Mr. Swan advised he was pleased to report that sales tax collections remained slightly more than 5% than the previous year and Standard & Poor's had continued the County's stellar bond rating of AA stable. He apprised yesterday the County had its annual independent audit review which was attended by Chairman Conover and Mr. Thomas following which no deficiencies were found. He explained this meant his offices records were accurate and a true representation of the financial state of the County. He mentioned everyone would receive a copy of the final audit by the end of this month as required by law. With regards to occupancy tax collections, Mr. Swan stated they were up over 20% from the same time last year; he apprised the new employee in his office who was charged with conducting audits of businesses to determine if they were providing the County with the correct amount of occupancy tax had already conducted four on-site audits, as well as several desk audits during which they determined one property should not be collecting occupancy tax and two properties that had not been paying should have been. He added they also discovered a property who had been paying considerably less than they were supposed to be.

Supervisor Beaty asked for clarification as to what the audits had found thus far pertaining to occupancy tax and Mr. Swan responded of the four on-site audits conducted, one property should not have been collecting occupancy tax and the other audits found no issues. He continued, following the completion of a desk audit they had determined one of the properties was significantly underpaying and while out in the field they had come across a few properties that had not been paying at all that should be. Mr. Geraghty questioned what action was taken on the properties that were not paying that should be and Mr. Swan replied that he was in the process of working on a policy. He stated his office worked well with the County Attorney's Office to collect from those who did not make payments or who underpaid. In regards to the individual who paid, but should not have, he informed they would be refunded for the amount they paid in. Supervisor Dickinson inquired whether occupancy tax collection was up 20% for the year and Mr. Swan responded that it was up slightly more than that. Supervisor Wild questioned how many years back they went when they audited properties and Mr.. Swan replied currently they were conducting audits for 2017. Supervisor Wild asked whether there were any plans to review years prior to 2017 and Mr. Swan replied they would look further back on any properties who had underpaid severely.

Supervisor Sokol advised he had been a part of the on-going negotiations with Rich Airt for FBO (*Fixed Based Operator*) services at the Airport. He said he hoped to bring forth an agreement for the Committee to consider at next month's County Facilities Committee meeting. Supervisor McDevitt added that he was aware that the information had been forwarded to the County Attorney's Office to draft an agreement with Mr. Schermerhorn to enable the process to move forward. Ms. Kissane stated she had been directed to put together a list of all of the financial agreements which would be presented at the October 1st County Facilities Committee meeting following which the Committee would determine how they would like to move forward.

Supervisor Thomas stated the Budget Committee did not meet over the past month; however, he noted he, Mr. Moore and the Budget Team had met individually with each Department Head and their corresponding Committee Chair to review their 2019 Budget Requests. He said all of the Department Heads had submitted their Budget requests by the deadline of last Friday and he was in the process of reviewing what had been submitted. He informed expenses were up 5.35% or \$2.3 million and in next few weeks each Department Head would review their Budget Requests with their respective Committees. He indicated that he believed it was possible to cut the expenses to ensure they remained at a more reasonable level.

Supervisor Hyde indicated she had nothing to report on.

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Supervisor Geraghty stated that the Personnel & Higher Education Committee had approved proposed Resolution Nos. 374-376 and he provided a brief overview of each. He thanked the Board for allowing he and Supervisors Simpson and Merlino to attend the conference at the White House along with other local government representatives from around the State and from New Jersey on August 22-23, 2018. He said on August 23rd they had met with various White House staff over a four hour period which he found to be very informative regarding matters such as the opioid crisis, farming, education, etc. He advised this was the first year anything like this had been offered to local governments and he encouraged all to attend if another opportunity were to arise in the future. With regards to the sewer project for Countryside Adult Home, Supervisor Geraghty informed work would commence on installation of the pipeline in the ground on Monday. He said this would pose some challenges for the Town of Warrensburg due to the fact that the Worlds Largest Garage sale was scheduled for the upcoming weekend which attracted about 50,000 visitors, but they would make due so as not to delay the work. Supervisor Geraghty informed the APLGRB (*Adirondack Park Local Government Review Board*) had attended a meeting with the new acting APA (*Adirondack Park Agency*) Commissioner last Friday during which they had been able to make their case regarding the lack of cell phone coverage in the County's portion of the Adirondack Park. He stated he felt it was imperative for everyone to be aware that many of the Board members served on outside agency Committees such as the APLGRB advocating on behalf of the residents of the County.

Supervisor Leggett reported the Criminal Justice & Public Safety Committee had met on August 27th, approving proposed Resolution Nos. 353-359 and he provided a brief summary of each. He reported on the September 18th meeting of the EMS Task Force during which the EMS Coordinators for the Office of Emergency Services reviewed budget comparisons of the five EMS Squads in the northern portion of the County. Supervisor Leggett stated he would fill in for Supervisor Loeb, who was absent today due to the fact that he was conducting first aid relief in the Carolinas and report on the August 27th Support Services Committee meeting where no resolutions were approved.

Supervisor McDevitt echoed Chairman Conover's comments relative to the new Visitors Center located between Exits 17 and 18 of the Adirondack Northway, as he was thoroughly impressed with the facility. He remarked he thought this was one of the nicest visitors center he had ever been to and set the stage for tourism in the Adirondacks. He pointed out the Center included kiosks, audio visual graphics and vending machines which only sold products produced in New York State such as Nettle Farms located in the Town of Thurman. He stated the building incorporated all of the latest environmental technology and met all the higher standards and the parking area included an electrical charging area for electrical vehicles which would become more common in the future. He acknowledged the State leaders for recognizing that tourism was a major source of revenue for the local municipalities, as well as the State.

Supervisor Braymer apprised she had nothing to report on.

Supervisor Driscoll indicated he had no Committee report, but he would like to state for the record that he was impressed with the turnout for the public hearing on Wednesday evening, as well as the one that took place this morning. He added that the public was always welcome to attend any of the Board or Committee meetings during which time was set aside for the public to comment on any matters.

Supervisor Frasier advised the Health, Human & Social Services Committee had met on August 21st, approving proposed Resolution Nos. 362-366 and she provided a brief overview of each. She stated that she had attended the Summer Youth Picnic and Awards Ceremony last month which was a success and she commended Chris Hunsinger, *Director, Employment & Training Administration*, and his staff for their work on this program. Supervisor Frasier acknowledged the work the Department Heads did to keep their budgets down, as she believed they were looking out for the best interest of the County and

its taxpayers.

Supervisor Simpson stated the Public Works Committee had met on two occasions this month, the first of which was on August 20th, approving proposed Resolution Nos. 368-372 and he provided a brief summary of each. He said the purpose of the August 30th meeting was to discuss the ongoing issues with the County Railroad and the removal of the equipment off of the property that was not County-owned, apprising County Attorney's Office was working with the legal counsel for the County on the matter to ensure the removal occurred in as timely of a manner as possible. Supervisor Simpson thanked the Board for affording him the opportunity to go to Washington D.C., as he found everyone they had met to be very helpful and open to assisting the County on any matters they could be provide assistance on. He encouraged anyone who had not taken a trip there to do so, as it was someplace he felt they should familiarize themselves with as elected officials. He thanked Supervisors Driscoll, Sokol and Thomas for taking the time this morning to attend the ribbon cutting ceremony with him for the new greenhouse at Cornell Cooperative Extension. He voiced how impressed he was with the professional grown plants and he encouraged anyone whose schedule permitted to stop by this weekend to pick up their fall flowers. He said this was a testament to what their organization was all about and what they did and how they were integrated into the community. With regard to broadband and cellular service, Supervisor Simpson informed the Association for Towns and Villages were working as diligently as possible to solve this issue in the Adirondacks and in the County, as these services were critical to public safety.

Supervisor Hogan indicated she had no Committee report, but would like to make a few comments, the first of which pertained to the EMS Task Force meeting. She acknowledged Brian LaFlure, *Director, Office of Emergency Services/Fire Coordinator*, and the EMS Coordinator for the work they had done compiling all of the financial data from the EMS squads in the northern portion of the County, as she was well aware of the amount of effort they had expended to gather this information. She apprised she had also attended the Youth Bureau meeting where they recapped the summer recreation programs and she said she could not stress enough how impressed she was with the number of youth being served through that program.

Supervisor Dickinson apprised much like many of them he was impressed with the two public hearings and how a significant number of people who were all well spoken and had valid points had voiced their opinions. He said he had taken notes on some of the things that were brought up that he would like to look into further. He encouraged everyone who had not had a chance to visit the Visitors Center located on the Adirondack Northway between exits 17 and 18 to do so, as he was thoroughly impressed with the facility. He pointed out sandwiches from a local café were sold there, as well as ice cream, products from Oscars Smoke House and many other business that were located in the Adirondacks. He thanked Ms. Mintzer for taking charge of the vending offered at the facility, as this had been a significant job to take on. He said all of this was managed by the Lake George Chamber of Commerce & CVB who presently had four employees to maintain the facility. He explained all of the vendors would be receiving records pertaining to how much of their products were selling and what was not.

Supervisor Merlino stated the Tourism Committee had not met last month, but they would be meeting on October 2nd. He commented he believed the sign for the new Visitors Center should state "Gateway to the Adirondacks Tourism Facility" and he suggested everyone check out the vending machines at the facility, apprising they were specifically made so that local products could be packaged for the vending machines which, he noted, took a significant amount of effort. He credited Governor Cuomo for taking care of the County and he acknowledged Senator Little for ensuring the project was completed. He indicated the Facility was one of the nicest in the State and he believed they should all be proud that it was located here. Supervisor Merlino advised he was encouraged by the information

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presented at the EMS Task Force meeting and he hoped a plan would come to fruition. He apprised he had a great time in Washington D.C., advising that he found it to be very informative.

Supervisor Strough advised that the Legislative & Rules Committee had sponsored proposed Resolution No. 367 which he provided a brief summary of. He stated that he had participated in the Cornell Cooperative Extension Golf Tournament Ar Cronins Golf Resort in the Town of Warrensburg. Supervisor Strough informed he had attended the ribbon cutting ceremony for the Visitors Center, as well and was thoroughly impressed with the facility. He thanked Mr. Moore and provided him with admiration for his efforts working on Warren County's Shared Services Property Tax Savings Plan. Supervisor Strough mentioned he found the two public hearings held on the proposed plastic bag ban to be very informative and he acknowledged Supervisor Braymer for brining this matter to the forefront. He said he found great value in the discussion concerning the harm plastic caused to the environment, apprising the Board would continue to work on the matter.

Continuing to the report by the County Administrator, Mr. Moore recognized the following people for their years of service to the County which he said he was greatly appreciative of

- * Gregory Riley for 20 years of service to the Sheriff's office;
- * Dana Hall for 30 years of service to Public Health;
- * Diane Decesare for 25 years of service to Public Health;

Mr. Moore read aloud a listing of the meetings he attended since the August 17th Board Meeting; a copy of which is on file with the items distributed at the Board Meeting.

Privilege of the floor was extended to Ms. Kissane to provide a report from the County Attorney. Ms. Kissane advised she had three items she would like to bring to their attention, the first of which pertained to proposed Resolution No. 379, *Approving Settlement Agreement to Deed Tax Map Parcel No. 211.17-2-19 Located at 30 River Street in the Town of Warrensburg to Cynthia L. Commarto*, apprising that she would like to confirm that the property was current on all of its taxes. She recognized Amy Lavine, *Second Assistant County Attorney*, for her excellent work arguing in front of the Appellate Division Third Department on September 6th. She encouraged anyone who would like to discuss this litigation to contact her or Ms. Lavine directly. In conclusion, Mr. Kissane announced she had hired a new employee to replace Joan Sady, *Secretary to the County Attorney*, when she retired in December. She said Mrs. Sady was working with this individual four days per week to get them up to speed before she left in December.

Supervisor Braymer inquired about the Second Assistant County Attorney position, which she recently learned had been filled with an individual who was not a licensed attorney. She questioned how this occurred since in March of this year the full Board had unanimously voted to not permit that office to create a new position of Attorney Intern for a salary of \$48,000 for an individual who had recently graduated, but not yet an attorney. She continued, in that same month the salary of the Second Assistant County Attorney position was increased from \$52,000 to \$60,567. She stated her point was that she was unsure why they had an individual working in this capacity who was not yet a licensed attorney when in fact they did not want to pay that individual \$48,000. Chairman Conover advised he was sure Ms. Kissane would be pleased to meet with Supervisor Braymer at any time to discuss the matter further. He added this matter could be taken up during the Support Services Committee meeting. Ms. Kissane apprised the individual in question had taken the New York State Bar Exam in July and the results would be available by October 20th. She informed the Committee had approved her request in February of this year to fill the Second Assistant County Attorney position. She said in an attempt to keep the best interest of the County in mind she had requested change that position into an Attorney Intern position, but the request was denied by the full Board. She indicated as a result of

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this action her only choice was to hire that individual for the Second Assistant County Attorney position. Supervisor Braymer remarked she thought the point of the discussion at that Board meeting was to prevent hiring someone who was not qualified for the position. Chairman Conover advised that Ms. Kissane had placed this individual into the only one that was available within her offices organizational structure and the appropriate place for this discussion to take place was during the Committee meeting. Supervisor Braymer indicated she felt the departments organizational structure and the salary of that position should be reviewed. She added she also wanted to ensure this individual was not meeting with the County Department Heads and advising them with no supervision. Resuming the Agenda review, Chairman Conover called for the reading of communications, which Mrs. Allen read aloud, as follows:

Reports from:

1. Warren County Probation Department Monthly Reports of Criminal and Family Workloads for May and July of 2018 (*emailed to the Board 09.17.18*)
2. Adirondack North Country Association 2017 Annual Report (*emailed to the Board 09.06.04*)
3. National Grid semi-annual PCB Inventory Report dated August 31, 2018 (*emailed to the Board 09.06.18*)

Minutes from:

None.

Letters/emails from:

1. North Country Chamber of Commerce encouraging continued preservation of the Saratoga - North Creek rail line, as well as the extension to Tahawus, as commitments to the Adirondack transportation infrastructure (*emailed to the Board 09.06.18*)
2. New York State Office of Parks, Recreation & Historic Preservation Informing that on September 14, 2018 the Queensbury Hotel was added to the National Register of Historic Places (*emailed to the Board on 09.20.18*)
3. United States of America Federal Energy Regulatory Commission order approving revised Exhibit F Drawings, as issued on September 4, 2018 (*emailed to the Board 09.17.18*)

Other:

1. Capital District Regional Off-Track Betting Corp. July payment in the amount of \$5,034. (*emailed to the Board 09.06.18*)
2. Washington County Board of Supervisors Resolution No. 203 of 2018, *Appointing Michael Wild as a member of the Warren and Washington Counties Industrial Development Agency and Civic Development Corporation* (*emailed to the Board 09.06.18*)

Supervisor Hyde exited the meeting at 12:25 p.m.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 349-383 were mailed. She informed that Resolution Nos. 384 and 385 were developed after the mailing and a motion was required to bring them to the floor; the necessary motion was made by Supervisor Simpson and seconded by Supervisor Dickinson.

Mr. Wild apprised that proposed Resolution No, 384, *Authorizing Airport Real Property Lease Agreements with Schermerhorn Aviation, LLC for Hanger No. 7 and Hangar No. 8 at the Floyd Bennett Memorial Airport, Warren County, New York*, was not discussed at the last Committee meeting, apprising he had some concerns with the forty year length of the contract. He said he would have liked to have some time to discuss this, as he believed they needed to consider valuing the rate based upon

the value of the property after a ten year period. He continued, instead they were locking themselves into a good deal for a private entity for a forty year term. Chairman Conover stated the matter was discussed and approved at the July 30th County Facilities Committee meeting, but this could be investigated further during the portion of the meeting where resolutions were discussed. Supervisor Braymer inquired when this had been discussed in Committee and Chairman Conover reiterated that they could discuss the matter further before they voted on resolutions. He said the motion before them was to bring the proposed resolution to the floor so they could discuss the matter further. Chairman Conover called the question and the motion to bring proposed Resolution Nos. 384 and 385 to the floor was carried unanimously.

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

Supervisor Driscoll requested a roll call vote on proposed Resolution No. 366, *Amending Agreement with Northeast Parent & Child Society, Inc. to Provide Specialized Mental Health Respite Services for the Office of Community Services to Increase the Amount of the Agreement*, due to the fact that he worked on a per diem basis for the organization articulated in the proposed Resolution.

Supervisor Sokol requested a roll call vote on proposed Resolution No. 377, *Authorizing Payment to Lake Champlain-lake George Regional Planning Board*.

Supervisor Strough requested a roll call vote on proposed Resolution No. 383, *Supporting the Adirondack Community College Capital Improvement Plan for 2019-20*.

Returning to discussion on proposed Resolution No. 384, *Authorizing Airport Real Property Lease Agreements with Schermerhorn Aviation, LLC for Hanger No. 7 and Hangar No. 8 at the Floyd Bennett Memorial Airport, Warren County, New York*, Supervisor Braymer stated she had asked whether the proposed lease had been discussed by the Committee because had it not been she would have voted in opposition of it being brought to the floor today. She questioned how long the leases were on the other T-Hangars that were leased to Mr. Schermerhorn at the Airport and Ms. Kissane responded these leases were all for forty years. Mr. Dickinson asked whether the forty year term related to the life expectancy of the building and Chairman Conover responded he thought what they were dealing with was a land lease and at the end of the term the buildings became County property. Ms. Kissane added she could only assume the reason for the forty year term related to the fact that the General Municipal Law permitted specifically a forty year lease for ones located at airports; however, she noted, she could not state this was why Schermerhorn had requested this term.

Supervisor Wild apprised he had just reviewed the Committee meeting minute from July where this matter was discussed, but there appeared to be minimal discussion regarding such. He stated for this reason he would like to table proposed Resolution No. 384.

Motion was made by Supervisor Wild, seconded by Supervisor Braymer and carried by majority vote, with Supervisor Magowan abstaining, to table proposed Resolution No. 384, *Authorizing Airport Real Property Lease Agreements with Schermerhorn Aviation, LLC for Hanger No. 7 and Hangar No. 8 at the Floyd Bennett Memorial Airport, Warren County, New York*, and to return to Committee for further discussion.

Supervisor McDevitt advised he would like to comment on what just occurred in terms of equity and fairness. He said they had an arrangement that everyone was aware of for a significant amount of time which was discussed at the Committee meeting and yet at the last possible moment it was tabled due

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to the suggestion that a forty year land lease was too generous to Mr. Schermerhorn. He indicated his only comment was that it was unfair to wait until the last minute to table the matter. Chairman Conover interjected that there was no debate on a motion to table.

Supervisor Braymer remarked while she was fully supportive of proposed Resolution No. 371, *Authorizing an Agreement with Thurman Connection Snowmobile Club to Allow Snowmobiles to Use County Railroad Right-of-way Property from Mp68.30 (Town of Stony Creek) to Mp72.85 (Town of Thurman)*, she wondered why they could not use it for other purposes, as well such as hiking and bicycling.

There being no further discussion, Chairman Conover called for a vote on resolutions, following which Resolution Nos. 349-385 were approved as presented, with the exception of proposed Resolution No. 384, which was tabled.

Chairman Conover called for public comments from anyone wishing to address the Board on any matter, but no response was given.

Chairman Conover called for announcements.

Supervisor Braymer asked that everyone keep a watchful out for the thousands of individuals, including herself, who were running in the Reebok Ragnar Adirondacks race this weekend heading up to Ticonderoga and then over to Lake Placid.

Supervisor Driscoll thanked the Board for including the Proclamation which recognized October as Domestic Violence Month in Warren County, as well as the one declaring September National Youth Court Month.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Dickinson and seconded by Supervisor Thomas, Chairman Conover adjourned the Board Meeting at 12:38 p.m.