

# Warren County Board of Supervisors

**BOARD MEETING  
FRIDAY, FEBRUARY 15, 2019**



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 10:03 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Geraghty.

Roll called, the following members present:

Supervisors Leggett, Braymer, Loeb, Driscoll, Frasier, Simpson, Hogan, Dickinson, Merlino, Strough, Wild, Beaty, Magowan, Sokol, Thomas, Hyde, Geraghty and Conover - 18; Supervisors Diamond and McDevitt absent 2.

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the January 18, 2019 Board Meeting and the January 16 and 31, 2019 Special Board Meetings, subject to correction by the Clerk of the Board. The motion was made by Supervisor Geraghty, seconded by Supervisor Dickinson and carried unanimously.

Moving along to the report by the Chairman of the Board, Chairman Conover advised he had attended the NYSAC (*New York State Association of Counties*) Conference from January 28-29, 2019 and the Resolutions adopted there were distributed to the full Board for review. He informed he had attended the Adirondack/Glens Falls Transportation Council meeting on February 13<sup>th</sup> at the Crandall Library that was chaired by Supervisor Strough. He stated he found the Warren County Highway Superintendents Luncheon on February 14<sup>th</sup> to be very informative and he encouraged anyone interested in attending a future luncheon to contact Kevin Hajos, *Superintendent of Public Works*, for more information. He mentioned following the luncheon he had attended a retirement party for the Administrator of Environmental Education at the Up Yonda Farm, informing of the Farm had grown since this individual started working there several years ago and he encouraged anyone who had not had a chance to visit the facility to do so. He asked Ryan Moore, *County Administrator*, to look into the possibility of holding a future Public Works Committee meeting there. Chairman Conover apprised during the report by the County Administrator, Mr. Moore would be requesting a motion to bring to the floor a resolution that introduced legislation involving the mortgage tax following which it would become proposed Resolution No. 99. He continued, during the report by the County Attorney, Mary Kissane, *County Attorney*, would be discussing an amendment to proposed Resolution No. 42, *Authorizing the County Auditor to Approve New York State Real Property Tax Law Correction of Errors And/or Applications for Refunds*. He added Supervisor Loeb would be requesting an amendment to proposed Resolution No. 72, *Authorizing Out-of-State Travel for Supervisors Claudia Braymer and Matthew Simpson to Attend the National Association of Counties (NACo) Legislative Conference in Washington, DC*, during his Committee report.

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

Supervisors Geraghty thanked Supervisor Frasier for chairing the Personnel & Higher Education Committee in his absence, where they approved proposed Resolution Nos. 74-83. He informed he had

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attended the Inter-County Legislative Committee of the Adirondacks meeting in Hamilton County with Supervisors Thomas and Simpson during which representatives of First Net discussed the fiber network they were attempting to bring to New York State.

Supervisor Leggett reported on the January 22<sup>nd</sup> meeting of the Criminal Justice & Public Safety Committee where proposed Resolution Nos. 27-36 were approved and he provided a brief summary of each. In regards to proposed Resolution 27, *Approving the Warren County Assigned Counsel Plan Which Replaces the Assigned Counsel Plan Authorized by Resolution No. 481 of 2013*, Supervisor Leggett advised the Plan had to be approved by the Warren County Bar Association and an Administrative Judge for the Office of Court Administration, as well.

Supervisor Braymer advised the Environmental Concerns & Real Property Tax Services had met on January 22<sup>nd</sup>, approving proposed Resolution No. 42. She stated they would be discussing the request from the Adirondack Lakes Alliance to adopt a County-wide septic law at the next Committee meeting.

Supervisor Loeb apprised the Support Services Committee had met on January 22<sup>nd</sup> and as previously mentioned by the Chairman he would like to discuss an amendment to proposed Resolution No. 72, *Authorizing Out-of-State Travel for Supervisors Claudia Braymer and Matthew Simpson to Attend the National Association of Counties (NACo) Legislative Conference in Washington, DC*, to include authorizing Supervisor Braymer to attend the out-of-state Conference, as well.

Motion was made by Mr. Loeb, seconded by Ms. Braymer and carried unanimously to approve the request to amend proposed Resolution No. 72 as outlined above.

Continuing with the report on the Support Services Committee meeting, Supervisor Loeb informed a lengthy discussion took place regarding the poor care provided to the elderly at nursing homes located in Warren County. following which he brought up the matter at the Health, Human & Social Services Committee meeting for further discussion. He apprised following his discussion with Supervisor Frasier and the Director of Public Health it was determined that the Support Services Committee was better suited to address the matter at their next meeting. He added the Director of Public Health was rapidly working on developing an administrative program to address complaints from residents of the local nursing facilities and/or their families. He stated the installation of a hotline at Warren County for residents and concerned families to voice their complaints which would then be forwarded on to the NYS DOH (*New York State Department of Health*) would be a topic for discussion at the Support Services Committee meeting. Next, Supervisor Loeb apprised he had discussed the anti-vaccine issue with the Director of Public Health, as he was concerned with the measles epidemic that was going on nationwide; he said some cases had occurred in the State, but not in this County. He opined that the vaccination program offered nationwide by municipal public health departments was the most effective step ever taken to ensure the health of the public, as prior to this the fatality rate for children under five was 50%. He stated he felt public health received a negative stigma due to their affiliation with the government and it was necessary for the Board members to do whatever was required to support the departments programs such as using some of the excess funds discussed during the budgeting process to provide funding to the department to increase their educational programs within the County. Last, Supervisor Loeb discussed the national program sponsored by the American Red Cross entitled "Sound the Alarm" which provided free installation of smoke alarms in homes to anyone who requested them and he encouraged the Supervisors to notify their constituents about the program.

Supervisor Driscoll advised he had no Committee report, but he would like to state for the record that the discussions and debate that took place at the Committee meetings last month were all excellent.

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Supervisor Frasier apprised the Health, Human & Social Services Committee had met on January 25<sup>th</sup>, approving proposed Resolution Nos. 43-64 which mostly dealt with housekeeping items. She informed that she had been notified by the Office for the Aging that they were in need of volunteers for their Home Delivered Meals and Medical Transportation Program and she encouraged anyone who was interested or knew someone who may be interested to contact the department. She added Amanda Allen, *Clerk of the Board*, would be emailing the Board members a flyer pertaining to the volunteer opportunities to be posted at the local community centers with the hope that it may attract some new volunteers. In conclusion, Supervisor Frasier apprised that she had also attended the NYSAC Conference, advising that she was a member of the Public Health and Mental Health Standing Committee, who had approved four resolutions that would be forwarded on to the Governor.

Supervisor Simpson stated the Public Works Committee had met on January 25<sup>th</sup>, approving proposed Resolution Nos. 70-71 and he provided a brief summary of each. He reported on the Special meeting of the WWCIDA& CDC (*Warren-Washington Counties Industrial Development Agency and Civic Development Corporation*) about a week ago to address an application they had received that had been amended for consideration, as well as to address the culmination of a report by the ABO (*Authority Budget Office*) which had taken around eight months to complete. He said during the process the ABO had worked closely with their agency on changing policies and correcting any of the issues that were identified. He informed the report had been distributed to all of the agencies Board members and cautioned them that it was a public document that should not be shared with the public. He stated he called the Special Meeting to address the report, apprising he had requested guidance from the ABO as to how the confidential document should be addressed following which they advised him an executive session was required under the terms provided by them, but a reporter for *The Post Star*, who was present at the meeting followed up with the Committee on Open Government regarding this, as she believed they had violated the Open Meetings Law. He said he had contacted the Committee on Open Government and they advised him that they had in fact violated the Open Meetings Law. He continued, he notified the reporter that he was working on ratifying the matter, but he would need some time because he was getting conflicting information from two State Agencies regarding the document and he wanted to ensure he handled the matter appropriately. He stated following his discussion with the legal counsel for the WWIDA & CDC he released the entire report to the reporter, apprising there was never any intent to have a "secret meeting" as it was labeled in *The Post Star*. He added he admitted it was a mistake for him to have lead the WWIDA & CDC Board into an executive session, but he had corrected it and the group learned from it as they moved forward.

Supervisor Hogan advised the Cornell Cooperative Extension had not met, but she would like to inform of what they were currently working on. She said the volunteers for the VITA (*Volunteer Income Tax Assistance*) Program were working all over Warren County four days a week on tax preparation for anyone who earned less than \$45,000 a year. She mentioned the IRS (*Internal Revenue Service*) trained volunteers were at the Municipal Center today working on preparing tax returns for many of the County employees. She apprised Cornell Cooperative Extension was interviewing for the Farm to School Coordinator position which was fully funded by the grant funding they received this year and the staff had completed their sexual harassment training as required by law. She informed of the program they would be hosting at SUNY Adirondack referred to as "Don't Get Ticked" on February 22<sup>nd</sup> and their next Board Meeting was scheduled for February 27<sup>th</sup> at 7:00 p.m.

Supervisor Dickinson informed the Occupancy Tax Coordination Committee had met on January 25<sup>th</sup>, approving proposed Resolution Nos. 67-69 and he acknowledged Supervisor Merlino for Chairing the meeting in his absence. He stated since the Adirondack Civic Center Coalition took over managing the Civic Center there were not as many events held at the venue, but they were hosting more hockey games and other things which was why they had requested a change in the contract with the County

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to reflect this. Supervisor Dickinson advised a contractor for the Village of Lake George recently uncovered a cemetery plot that was over 200 years old with up to eight bodies buried there. He added they believed these bodies dated back to the Revolutionary War due to some buttons that were discovered and the Town of Lake George was doing all it could to ensure the site was protected. He added they had offered to secure a burial site in the cemetery located adjacent to the site where they were found and were also looking into possibly buying out the project to make it into a historic site itself. He read aloud a letter to the editor featured in the February 7<sup>th</sup> addition of *The Post Star* that was written by Robert Blais, *Mayor, Village of Lake George*, entitled "*Entire County Should Get Credit for Tourism*". Supervisor Dickinson stated that he strongly agreed with Mayor Blais's thoughts regarding how attractions all across the County contributed to the success of the County's tourism industry and he acknowledged Mayor Blais for writing the letter.

Supervisor Merlino stated the Tourism Committee had met on January 25<sup>th</sup> wherein they approved proposed Resolution No. 73 which he provided a brief overview of. He referred to the newly revamped Group Destination brochure which had been distributed to the Supervisors prior to the meeting that was designed to promote different areas and would be distributed at the different conventions and shows that the staff would be attending; a copy of the brochure is on file with the items distributed at the February 15<sup>th</sup> Board Meeting. With regards to the amount of occupancy tax collected, Supervisor Merlino apprised that the amount collected in 2018 was greater than any prior years collections. He pointed out a hotel was quoted as stating they had paid a total of \$135,000 in occupancy tax in 2018 meaning their total business for the year was \$3,375,000; however, he noted, this was only 3.4% of the total of \$4 million collected last year. He added this supported Mayor Blais's thought that one destination was not the reason for the success of the tourism industry in the County. He said the Tourism Department was working with the Lake George Regional Chamber of Commerce & CVB and the local businesses on the same goal which was to attract visitors from all over the Country, as well as the World to this region.

Supervisor Strough reported on the January 31<sup>st</sup> meeting of the Legislative & Rules Committee wherein proposed Resolution Nos. 65-66 were approved and he provided a brief summary of each.

Supervisor Wild stated he had also attended NYSAC Conference in Albany, New York, adding he found it to be very informative. He apprised that he and Supervisor Driscoll had attended The Investors Summit at SUNY Adirondack during which he learned that the College had a support structure in place for students they deemed to be at risk to assist with personal and other issues to ensure they were successful in obtaining their degree to become a contributing member to society.

Supervisor Beaty apprised the County Facilities Committee had met on January 22<sup>nd</sup>, approving proposed Resolution Nos. 25-26 and he provided a brief summary of each. With regards to the grant funding awarded to purchase two ten-bay T-Hangars at the County Airport, Supervisor Beaty informed due to the rising cost of steel the County was only able to afford one at this time with the hopes of obtaining additional grant funds or other funding options in the future for the other one. He acknowledged Supervisor Loeb for his impassioned effort to install a hotline at the County for the purpose of forwarding residents of the local nursing homes complaints on to the NYS DOH, as he believed this would provide the seniors with a better chance of having their complaints recognized by the NYS DOH. He thanked Supervisor Simpson for elaborating on the misunderstanding with regards to the report on the WWIDA&CDC and the executive session that took place. He remarked that he concurred with Supervisors Dickinson and Merlino that the letter to the editor from Mayor Blais was well written and honed in on the fact that the County consisted of a collective body of events, businesses, facilities, etc. to make this region a phenomenal tourism destination. He advised he would be proposing a suggestion to fund upgrades to the water treatment facility in the Town of Lake George

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which he hoped would be helpful at the next meeting.

Supervisors Magowan apprised that he did not Chair a Committee, but he would like to note he concurred with Supervisor Driscoll that the Committee meetings started the year off with some great discussions. He thanked Supervisor Dickinson for reading aloud the letter written by Mayor Blais concerning tourism in the County, adding he agreed with the comments made by Supervisors Dickinson, Merlino and Beaty.

Supervisor Sokol advised the Finance Committee had met on January 31<sup>st</sup>, approving proposed Resolution Nos. 23-24 and 84-98. With regards to proposed resolution No. 85, *Authorizing the County Treasurer to Join New York Cooperative Liquid Asset Securities System (NYCLASS) to Invest County Funds For Warren County*, he reported that this was a secure fund that was recommended by the New York State Comptroller's Office which would permit the County to invest Unappropriated Surplus and Reserve Account funds with a return of 2.5% and the option to withdraw the funds at any time without penalty as opposed to CD's (*Certificate of Deposits*) where the funds were locked in for a specific timeframe. Supervisor Sokol apprised that proposed Resolution No. 93, *Authorizing the Appropriation of Funds from the Occupancy Tax Reserve to the Tourism Budget to Provide Funding for Two Separate Agreements with Alltherooms, Inc.; Amending 2019 Warren County Budget*, provided the data required for the Treasurer's Office to audit short-term rental properties to ensure the County was receiving the correct amount of occupancy tax from them. He added it was estimated these short-term rentals would result in an additional \$180,000 a year in occupancy tax. Supervisor Sokol remarked he was pleased to report as indicated in the email from the Treasurer's Office the County was 3.7% ahead of sales tax collections from the same timeframe last year. He informed the Treasurer was not here today, but if anyone had any questions the Deputy County Treasurer was present.

Supervisor Thomas apprised that he had no Committee report, but he was requesting support of proposed Resolution No. 87, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Sheriff's Law Enforcement Budget to Cover the Cost of the PBA Settlement; Amending 2019 Warren County Budget*.

Supervisor Hyde indicated she had nothing to report on

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

- \* Amy Clute for 30 years of service to the Self-Insurance Department;
- \* Theresa Ryther for 25 years of service to County Clerk's Office'
- \* Sargent Michael Webster for 25 years of service to Sheriff's Office;
- \* Patrol Officer John Howse for 25 years of service to the Sheriff's Office; and
- \* Glenda Benware for 20 years of service to the County.

Mr. Moore read aloud a listing of the meetings he had attended since the January 18<sup>th</sup> Board Meeting; a copy of which is on file with the items distributed at the Board Meeting. Mr. Moore advised it was necessary to revisit the Local Law concerning the additional mortgage tax collection, apprising he would like the record to reflect that the County had contacted the State Department of Taxation and Finance to review the language which indicated the effective date was February 1<sup>st</sup> or any date thereafter that was authorized under State Law, but they did not respond to the inquiries and it was his understanding that Essex County also had issues receiving a response from them. He informed the State Legislature adopted the enabling legislation on January 29<sup>th</sup>, but did not distribute it to the Governor until February 4<sup>th</sup> and as of this morning the Governor still had not signed the bill, but he had until 11:59 this evening to do so. He added if the bill was not signed the County would be required to start over with the entire

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Home Rules process. He informed he had contacted the Governors Office to explain this and to also notify them this Board needed to act this morning in order to change the effective date to April 1<sup>st</sup> because if the Governor did not sign the bill then the Board was essentially wasting their time by amending the Local Law one more time and noticing a Public Hearing. He said they indicated to him they would attempt to have the bill signed prior to this mornings meeting, but as of yet this had not occurred. He explained due to the bill not being signed the State Department of Taxation and Finance had indicated the earliest effective date required was April 1<sup>st</sup> and not March 1<sup>st</sup>. He mentioned as a result of this it constituted a material change in the County's Local Law which would require another Public Hearing and the earliest these could be noticed in the local newspapers due to their publication deadlines was February 23<sup>rd</sup> following which there was a mandatory five day waiting period after that meaning the proposed date of the Special Board Meeting to address this matter would be on February 28<sup>th</sup>. He advised it was necessary to amend proposed Local Law No. 2 and set the Public Hearing for with the hopes that the bill would be signed by the end of the day; however, he noted, if this did not occur then the Local Law would need to be amended again to set the date for sometime after April 1<sup>st</sup> and would result in a shortfall in the amount of revenue budgeted for this purpose this year. He apprised there was a floor resolution before them that accomplished these objectives that would require the approval from the Board today.

Motion was made by Supervisor Simpson, seconded by Supervisor Wild and carried unanimously to bring the proposed Floor Resolution concerning amending Local Law No. 2 of 2019 as outlined above to the floor. Chairman Conover announced the proposed Floor Resolution would now be referred to as Resolution No. 99.

Supervisor Braymer questioned whether the prior version of the Local Law indicated it would be effective anytime after February 1<sup>st</sup> and Mr. Moore responded that it indicated February 1<sup>st</sup> or any subsequent date as authorized by State law. Supervisor Braymer inquired why that was not sufficient enough and Mr. Moore replied the legal counsel for the State Taxation and Finance Department had indicated to him that the law needed to specify April 1<sup>st</sup>. Supervisor Braymer asked whether this was because the State Legislation indicated the start date was April 1<sup>st</sup> and Mr. Moore replied in the negative, explaining it was essentially the same bill as last year, but with different language included. He added the State Legislators has advocated to change the language, but it was the desire of the majority of the State Assembly to use the language from the prior one. He advised the State Taxation and Finance Department indicated to him the effective date of April 1<sup>st</sup> was required.

Mr. Moore continued with the report by the County Administrator, commenting on how proposed Resolution No. 98, *Authorizing the Chairman of the Board to Send a Letter to the Commissioner of the New York State Department of Health Stating Concerns with the Quality of Care at the Warren Center*, notified the State regulators that the County cared about the seniors that lived here and the Board was willing to go to bat for them. He added in this spirit he requested that his assistant commence working on developing a program to enhance the County's impact in this area with the assistance of the Directors of Public Health and the Office for the Aging. He mentioned as a first step of this process these individuals contacted the local nursing homes to schedule meetings with their Administrators. He said a meeting was held with the Administrator of Warren Center on Monday and similar meetings were scheduled for next week with the Administrators for the Pines and Glens Falls Center and they were working on setting up a meeting with the Administrator for the Elderwood Facility. He said his assistant also notified the NYS DOH about the proposed County complaint hotline, as well as Catholic Charities to discuss their Ombudsman Program which was another resource nursing home residents and their families could use to voice concerns about quality of care in local facilities. He mentioned the goal was to tie all of these resources together, improve the communications between these agencies and develop an active coalition for the elderly with the County taking the lead and would include

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representatives from all of the groups that impact seniors in the County, as well as affected seniors themselves and their families. He stated the goal of the coalition would be to keep everyone on the same page to continuously improve practices, to foster collaboration, to identify and improve problem areas and promote a more seamless transition for the County's elderly residents through different care modalities. He thanked his assistant, and the Directors for Public Health and the Office for the Aging for launching this effort, as he believed it would result in great dividends.

Next, upon the request of several Supervisors Mr. Moore read aloud a letter dated February 4<sup>th</sup> to Supervisor Frasier and Chairman Conover regarding a positive experience a County resident recently had with the Veteran's Services Office which commended the efforts of Denise DiResta, *Director, Veterans Services*.

Concluding the report by the County Administrator, Mr. Moore announced that February was the first full month of the County's new Employee Recognition Program and he introduced Jodi Brines, *Supervising Public Health Nurse*, as the first recipient of this recognition.

Mr. Moore read aloud a brief summary of Ms. Brines background and her accomplishments in her position with the County. Chairman Conover and Mr. Moore presented Ms. Brines with a Certificate of Appreciation from this Board and a nice piece of pottery with a rendering of Lake George, which was anonymously donated to the program. A round of applause followed.

Ms. Brines stated she had been unaware that there were nursing positions within the public health section of government when she commenced seeking a job in the nursing field, but now she could not imagine working in any other position in the field, as she thoroughly enjoyed serving the community and assisting those who could not find help elsewhere. She voiced her appreciation for the recognition, adding that it was very meaningful to her. A round of applause was given.

Privilege of the floor was extended to Ms. Kissane, to provide a report from the County Attorney. Ms. Kissane advised Resolution No. 42, *Authorizing the County Auditor to Approve New York State Real Property Tax Law Correction of Errors And/or Applications for Refunds*, apprised according to Real Property Tax Law Section 554, the County Treasurer could only be provided with the authority to approve corrections of errors and/or applications for refunds in the absence of the County Auditor; she said because the County had an Auditor, this individual must be delegated that authority. She stated as a result of this proposed Resolution No. 42 required an amendment to indicate the Warren County Auditor had authority to approve New York State Real Property Tax Law Corrections and in her absence the County Treasurer would have such authority.

Motion was made by Supervisor Loeb, seconded by Ms. Braymer and carried unanimously to amend proposed Resolution No. 42, *Authorizing the County Auditor to Approve New York State Real Property Tax Law Correction of Errors And/or Applications for Refunds*, as outlined above.

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, Report of Criminal and Family Workloads for December 2018 (*emailed to the Board 02.13.19*)

Minutes from:

1. Warren-Washington Counties CDC December 17, 2018 meeting (*emailed to the Board 01.28.19*)
2. Warren-Washington Counties IDA December 17, 2018 meeting (*emailed to the Board 01.28.19*)

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3. Warren-Washington Counties CDC January 16, 2019 Executive Committee meeting (*emailed to the Board 02.14.19*)

Letters/emails from:

1. Stanley Wood, Warren County Resident and Army Veteran, commending Denise DiResta, Director of Veterans' Services, for the assistance she provided to him in obtaining Veterans' benefits (*emailed to the Board 02.13.19*)

Other:

1. Capital District Regional Off-Track Betting Corp. December payment in the amount of \$3,170 (*emailed to the Board 02.13.19*)

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 23-98 were mailed or picked up by members of the Board of Supervisors. She apprised proposed Resolution Nos. 42 and 72 had been amended earlier in the meeting and proposed Resolution No. 99 had been brought to the floor.

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

Supervisor Loeb requested a roll call vote on proposed Resolution No. 26, *RESOLUTION DECLARING SEQRA LEAD AGENCY STATUS FOR THE CONSTRUCTION OF TWO (2), TEN (10) BAY T-HANGARS AT THE FLOYD BENNETT MEMORIAL AIRPORT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE SEQRA ENVIRONMENTAL ASSESSMENT AND NEGATIVE DECLARATION FORM*, informing of his concerns that constructing less than par T-Hangars due to the excessive cost of steel would negatively impact the quality of the Airport. He said he would rather spend the money to purchase ten top notch T-Hangars than on twenty mediocre ones. He questioned if it would be more appropriate for him to make a motion to table the proposed Resolution or to vote in opposition. Chairman Conover responded Supervisors could make a motion at any time to table a matter, but the motion would take precedent and would terminate discussion. He asked Supervisor Loeb if he would be willing to hold off on making the motion to table the proposed Resolution to allow others to voice their opinions and Supervisor Loeb concurred.

Supervisor Beaty requested that Mr. Hajos address Supervisor Loeb's concerns regarding the T-Hangars at the Airport. Mr. Hajos apprised that steel prices have significantly increased due to the tariffs that had been placed on them resulting in the grant award of \$990,000 only being able to cover the cost of purchasing one ten-bay T-Hangar rather than two. He informed during the Committee meeting it was proposed that they look into fabric T-Hangars as a less expensive option, but no decisions were made. He said part of the agenda for the next Committee meeting included elaborating on how it was not cost effective to pursue this route; he added in thirty years when they required replacement the cost would fall solely on the County as opposed to using grant funds. He informed the SEQRA action concerned a general area where the T-Hangars would be constructed and he was unsure it had to be table because they were still required to have a SEQRA in place to move forward with the work for the one ten-bay T-Hangar that would be constructed.

Supervisor Loeb advised his concerns with proposed Resolution No. 26, *RESOLUTION DECLARING SEQRA LEAD AGENCY STATUS FOR THE CONSTRUCTION OF TWO (2), TEN (10) BAY T-HANGARS AT THE FLOYD BENNETT MEMORIAL AIRPORT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE SEQRA ENVIRONMENTAL ASSESSMENT AND NEGATIVE DECLARATION FORM*, had been rectified.

Concerning proposed Resolution No. 59, *Amending Agreement with Catherine Keating-Stauch, R.D., to Provide Dietician Services for Elderly Residents under the Wellness in Nutrition Program (WIN)*, Supervisor

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Loeb voiced his concern that the individual referenced in the resolution was not required to bring the request to Committee.

Mr. Moore advised this fell under the Wellness and Nutrition Program which was fully funded through the State and the travel included in the proposed Resolution was State-mandated, meaning when this contractor was required to attend training in order to fulfill her duties the State notified the County that this was something that needed to be done; he added a contractor was used in this case because it was more cost effective for the County than hiring a dietician in-house. He stated the reason the typical process for travel requests was not followed in this case related to the fact that this involved a contractor and not a County employee. Supervisor Loeb remarked the explanation provided resolved his issue with the proposed Resolution.

Chairman Conover inquired whether Supervisor Loeb would like to withdraw his request for a roll call vote on proposed Resolution No. 26, *RESOLUTION DECLARING SEQRA LEAD AGENCY STATUS FOR THE CONSTRUCTION OF TWO (2), TEN (10) BAY T-HANGARS AT THE FLOYD BENNETT MEMORIAL AIRPORT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE SEQRA ENVIRONMENTAL ASSESSMENT AND NEGATIVE DECLARATION FORM*, and Supervisor Loeb replied affirmatively.

Next, Supervisor Loeb voiced his concerns regarding proposed Resolution No. 70, *Awarding Bid and Authorizing Agreement with Care Environmental Corp. For Household Hazardous Waste Collection in Connection with the Warren County Department of Public Works (WC 76-18)*, pertaining to the lack of training provided to ensure staff were aware of how to properly dispose of certain hazardous items and that there was only one opportunity per year offered when these items could be properly disposed of resulting in items being improperly disposed of. He pointed out when he asked a transfer station employee where to dispose of some florescent light bulbs they had indicated to him that he could throw them into the dumpster. He questioned how the residents were supposed to be aware how of how to properly dispose of items when the employees at the transfer stations were not educated on this. He added he had been notified about times when the contractor who managed the household hazardous waste collection day were unsure of how to dispose of the product so they rejected it. He remarked if the County was serious about taking care of the environment then they needed to be consistent and collect the household hazardous waste items on a regular basis. He requested a roll call vote on proposed Resolution No. 70 *Awarding Bid and Authorizing Agreement with Care Environmental Corp. For Household Hazardous Waste Collection in Connection with the Warren County Department of Public Works (WC 76-18)*, adding he would be voting in opposition and would also like the appropriate County Departments to develop a way to address this issue.

Supervisor Simpson stated he concurred with Supervisor Loeb that this was a matter they should be looking into. He suggested they explore the matter further with the Public Works Committee to determine whether household hazardous waste collection days should be held on a monthly basis, as there was funding available through the NYS DEC to pay for a portion of the expense, but they would have to work on some logistics to make ensure it was profitable and met the guidelines set by the NYS DEC, otherwise the County would be responsible for the expense.

Chairman Conover apprised his understanding of what Supervisor Simpson was saying was that moving forward with proposed Resolution No. 70 *Awarding Bid and Authorizing Agreement with Care Environmental Corp. For Household Hazardous Waste Collection in Connection with the Warren County Department of Public Works (WC 76-18)*, did not preclude the County from expanding the program in the future. Supervisor Simpson added he would encourage the Board members to support the proposed Resolution so as to not preclude the County from the opportunity to rid the environment of as many of the household hazardous waste items as possible and to continue the discussion at Committee to

develop a better system.

Supervisor Dickinson remarked the County was not the only solution to this issue, as there were other resources available to properly dispose of these products, but they were associated with a fee. Supervisor Braymer advised she had attended a seminar at the NYSAC Conference regarding recycling during which it was brought to her attention that the County was one of the only ones in the State that did not have staff in charge of coordinating waste management. She said it appeared to her the County had Mr. Hajos working with the County Purchasing Agent and occasionally the Director of Real Property Tax Services to work on matters such as this and she suggested this be explored by the Real Property Tax Services & Environmental Concerns Committee to ensure the County moved forward with its Solid Waste Management Plan, which had been held by the State for several years without being approved. She commented it was necessary to assign staff to ensure that this was properly taken care of.

Supervisor Loeb applauded the efforts of both past and present Supervisors for their support with regard to eradicating and preventing invasive species which had grown significantly over the past few years as supported by proposed Resolution No. 91, *Establishing Capital Project No. H382 Lake George Invasive Species Eradication; Authorizing Transfer of Funds and Amending Warren County Budget for 2019*.

Supervisor Hogan requested a roll call vote on proposed Resolution No. 65, *Introducing Proposed Local Law No. 3 of 2019 Entitled "Municipal Opioid Cost Recovery and Public Nuisance Legislation" and Authorizing Public Hearing Thereon*.

Supervisor Beaty requested a roll call vote on proposed Resolution No. 98, *Authorizing the Chairman of the Board to Send a Letter to the Commissioner of the New York State Department of Health Stating Concerns with the Quality of Care at the Warren Center*.

Supervisor Simpson requested a roll call vote on proposed Resolution No. 72, *Authorizing Out-of-State Travel for Supervisors Claudia Braymer and Matthew Simpson to Attend the National Association of Counties (NACo) Legislative Conference in Washington, DC*.

Supervisor Wild questioned whether the County had any principle protection on the investment made to NYCLASS (*New York Cooperative Liquid Asset Securities System*) if a downturn of the economy were to occur. Robert Lynch, *Deputy County Treasurer*, responded there was no risk on any principle, as the fund was fully collateralized and money could be withdrawn at any time. He said this meant if interest rates were to decrease and CD's were deemed a more suitable investment the money could be withdrawn with no penalty and invested in CD's. Supervisor Loeb inquired what level of investment the County was considering in NYCLASS and Mr. Lynch replied they were still analyzing that, but it could be anywhere between \$10 and \$14 million. Supervisor Wild asked whether these funds would be totally protected and Mr. Lynch replied affirmatively, adding both Washington County and the Town of Queensbury invested funding in NYCLASS and were pleased with the results, adding it was also recommended by the State Comptroller's Office.

In regards to proposed Resolution No. 74, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2019*, Supervisor Wild stated he did not want to speak about specifics, but he would like to discuss in general how the County's baby boomer employees were edging close to retirement. He suggested they take an active look at the County Department Heads to ensure succession plans were in place for when these individuals edged closer to retirement. He stated having a succession plan in place would ensure the individual who took over the Department would have a sufficient amount of knowledge to allow for a seamless changeover.

Chairman Conover thanked Supervisor Wild for his leadership on this issue, adding he believed Mr.

Moore concurred with him regarding the importance of a succession plan and would be working with any impacted departments to ensure a plan was in place.

Supervisor Wild advised he would like to comment on proposed Resolution No. 69, *Authorizing Warren County Tourist and Convention Development Agreement with The Adirondack Civic Center Coalition, Inc. for Occupancy Tax Special Event Funding*. He stated he believed the Glens Falls Civic Center was a great asset not only for the City of Glens Falls, but also the County; however, he noted, he was concerned with how long the \$250,000 stipend would continue and whether a plan was in place to reduce this amount to free up the funds to invest in other things.

Supervisor Dickinson informed the County had originally made a three year funding commitment to the Adirondack Civic Center Coalition, but this had since changed to an annual contribution. He stated the County had provided the funding with the idea the Coalition would develop a plan to sustain the Civic Center with the hopes that the funds provided by the County would be less than the current annual contribution amount of \$250,000, but this had yet to occur. He said this was an issue that the Board members should all be considering, adding that the Coalition was doing a phenomenal job managing the facility and significantly improving its profit margin. He advised the Coalition had completed a number of improvements on the facility, but there was still a significant amount of work that needed to be done, such as the 20+ year old roof, but the Coalition had no capital fund to pay for this work. He apprised there was no question that the facility was an asset to the region that caused an increase in local business when events were held there. He added the improvements to the seats, lighting, food and drinks at the facility assisted with attracting more people from throughout the region to hockey games and other events held there. He remarked while he was hesitant to stop funding them he felt it was appropriate for the Board members to consider how much longer they would like the funding contribution to continue.

Supervisor Geraghty voiced his support of the contribution to the Adirondack Civic Center Coalition due to the assistance it provided to ensure the tax burden of the facility did not fall on the shoulders of the residents of the City of Glens Falls and the fact that it was a regional asset for the County. He mentioned he felt the purpose of occupancy tax was to provide funds to places that hosted events and the Civic Center hosted several; however, he noted, he concurred the County contribution should not be a "bottomless pit".

Supervisor Strough pointed out the Coalition had completed an analysis of the economic impact the Civic Center had on the region, adding that he believed the Coalition had transformed the facility into a success and he would hate to be without this asset in the region. He stated when considering other Counties who owned and managed in-house their own facilities, he noted their contributions were significantly more than \$250,000 on an annual basis.

Supervisor Braymer remarked she was pleased to hear so many Supervisors refer to the Civic Center as such an important asset, adding the economic analysis indicated the region benefitted by \$13 million from the facility, which she noted, was a substantial return on a \$250,000 investment. In reference to the statement that the Civic Center was no longer hosting as many events, Supervisor Braymer advised events were still hosted there such as hockey games, the long awaited return of the State Boys High School Basketball Championship, a gun show, concerts, etc. She pointed out the Civic Center would be hosting the women's hockey teams for the Aurora Games one week leading up to the final game in Albany, New York in August, In regards to the profit margin, Supervisor Braymer advised the Coalition had been able to significantly turn this over for the facility, but they were still not able to turn a profit, meaning they would require the continued support of the County.

Supervisor Merlino apprised that the Tourism Department was working with the Lake George Regional Chamber of Commerce & CVB and the Adirondack Civic Center Coalition on analyzing the figures

provided by the Coalition for last year to calculate the ROI (*Return on Investment*). He added he was pleased the contribution had been changed to an annual contribution to allow the County to monitor and determine whether it was appropriate to continue on.

Chairman Conover informed he had assisted with developing the original three year funding plan for the Civic Center, adding it started off as a three year commitment due to the uncertainty surrounding occupancy tax causing the funds to be appropriated from the Fund Balance at that time. He apprised as the County's unified infrastructure program that was announced in January was rolled out he believed this, as well as a number of other projects at all levels of maturity would be available for review and determine how to complete these projects whether they be County or Municipal going forward such as what funding sources were best to apply. He commented he was looking forward to the concept that Mr. Moore was working on to roll that program out, but it would take some time and in the interim there were some projects that were on-going or in the works that could not wait for a more comprehensive plan to be developed, but they all fit within the bigger scheme of infrastructure.

Supervisor Merlino requested for some time to be set aside to continue the work on the redistribution of the sales tax revenue, as he was unaware of any additional meetings being scheduled on the matter. Chairman Conover informed this had not been forgotten, but some of the Supervisors would like for their seasonal residents to be able to participate in the discussion when they returned to the area and additional meetings would be scheduled over the next few months to allow this to occur.

Supervisor Driscoll stated that other than hockey games there would be an increase in special events at the Civic Center, but he was unable to divulge what these events were at this time other than they had been held there previously and were successful. He mentioned Law Enforcement Night was scheduled for February 23<sup>rd</sup> at the Civic Center and a portion of the hockey ticket sales that evening would be allocated to the Special Olympics; he added it was also Warren County Night with the option to purchase group sales tickets and was open to all County and municipal employees. He encouraged everyone to attend an event there to view all of the improvements that had been made and get a better sense of what an asset the facility was to the region.

Supervisor Beaty apprised he believed it was the consensus of the Board that the Civic Center was a valuable asset to the County and although the Coalition was not profitable yet, they had done an amazing job turning around the facility with the assistance of the \$250,000 in occupancy tax funds provided by the County. He reiterated what Supervisor Merlino stated previously that areas businesses were more profitable when events were held there, as it was near impossible to find a table at local restaurants the night hockey games were going on there. He added this lead to additional sales tax revenue for the City and the County, adding if the facility were to fail due to a lack of support from the County the County would suffer.

Supervisor Beaty requested that the discussion regarding sales tax distribution be placed on a future agenda of the Legislative & Rules Committee. Chairman Conover stated any Supervisor could bring matters forward at a Legislative & Rules Committee meeting at any time. Supervisor Strough apprised as Chairman of the Legislative & Rules Committee, he would ensure this was included on the agenda for a future meeting.

In reference to proposed Resolution No. 69, *Authorizing Warren County Tourist and Convention Development Agreement with The Adirondack Civic Center Coalition, Inc. for Occupancy Tax Special Event Funding*, Supervisor Wild advised he wanted to ensure the Board members were aware that he was fully supportive of the \$250,000 allocation for the Civic Center, but his question was in relation to the Adirondack Civic Center Coalition, whose members consisted of successful business leaders in the community. He said his desire was to see a plan that indicated when the County's contribution may

no longer be required. Supervisor Braymer interjected that the Coalition members would provide this information to Supervisor Wild.

Supervisor Simpson voiced his concern with moving anything forward in relation to the sales tax distribution when 2/3rd of the population for the Town of Horicon was not presently residing there. He said he wanted to ensure everyone was aware they were discussing a matter that would impact a large portion of the taxpayers from this community, adding they needed to be part of the discussion.

Chairman Conover apprised he concurred with Supervisor Simpson that the seasonal residents did need to be included in the discussion; however, he noted, he was unable to prevent any Supervisor from bringing forward a matter to discuss with a Committee nor would he do so. He informed he had made his feelings known regarding the issue, but the Supervisors were permitted to advance matters on their own.

Supervisor Braymer pointed out it had taken two years to work on the legislation concerning plastic bags, adding she did not believe they would be able to analyze and develop a solution to the sales tax distribution prior to the summer residents returning to the area. She suggested they commence the discussion in Committee to dedicate some resources to review the issue. Chairman Conover advised he believed Mr. Moore had asked the Supervisors to notify him of any suggestions they may have to allow him to analyze them, but he reiterated the Supervisors were free to approach things as they saw fit.

Supervisor Simpson stated during his tenure he had attended a number of meetings including night ones and he was present when the schedule was adjusted to address issues with transparency; he remarked he was perplexed by those who were pushing to move forward on the sales tax distribution when 2/3rd of the residents of a town that contributed a significant amount of money to the County had been unable to voice their thoughts. He said it was necessary for them to consider the entire County before they moved forward with any action.

Supervisor Wild pointed out last year a Board Meeting was held in the evening and he questioned whether there were plans to hold another evening meeting this year and Chairman Conover responded the June Board Meeting was scheduled in the evening.

Chairman Conover called for a vote on resolutions, following which 23-99 were approved, as presented with the exception of proposed Resolution Nos. 42 and 72 which were amended from the floor.

During the vote on resolutions, Supervisor Loeb voiced his concern regarding doctors prescribing too many opiates to patients who had surgery. He spoke about the surgery he had a few weeks ago where his surgeon had prescribed him thirty percocet pills for pain following the procedure, but Tylenol was sufficient. He stated this brought into question whether this was unnecessary prescribing just for convenience.

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

Travis Whitehead, *Town of Queensbury Resident*, apprised that Supervisor Loeb brought up some interesting items to discuss regarding disposal of household hazardous waste and the florescent light bulbs which contained mercury and should not go anywhere near a fire since it was easily vaporized and ended up in the air and other places that they did not want it to be. He suggested the Board members notify their transfer station employees and the public that these bulbs could be brought to Lowe's or Home Depot to dispose of, as he himself had disposed of them in this manner on a number of occasions. He added the CFL light bulbs also contained mercury and he strongly advised that

everyone take advantage of the disposal service for these provided by these companies.

Mr. Whitehead stated he would also like to discuss the complaint hotline, apprising that there was one posted in every nursing home that was directly linked to the State; however, he noted, the issue was the complaints were being unfounded. He read aloud an insert from an article that was included in yesterday's edition of *Buffalo News* regarding the 145 allegations received from the hotline he referred to that were investigated by the NYS DOH in Erie and Niagara Counties where only six were substantiated. He informed the reason this occurred related to the fact that there was no staffing law in New York State, as compared to other States that had laws in place that required so many employees to be on duty at a certain time. He pointed out there were thousands of nurses today that may be observed picketing one because there was a Minimum Staffing Law that would be going before the State Senate and Assembly and this was being opposed by those who operated nursing homes and the hospitals, as they preferred to have more freedom. He remarked he believed this law was something that should be considered, as complaints would continue to go unfounded unless something serious were to occur such as leaving someone in a shower for an extended period of time or not dispensing medication. He said this was a horrible situation that he did not believe anyone would want their elders to have to go through and he thanked Supervisor Loeb for bringing this up, but there was some additional challenges there in addition to the hotline.

Dr. Kristine Duffy, *President, SUNY Adirondack*, thanked Supervisors Wild and Driscoll for attending their Investors Summit, as well as the Board for supporting their budget advocacy to the State. She advised although SUNY Adirondack was doing well from a fiscal standpoint, many of the community colleges across the State were not and the funding from the State was critical to stabilize them. She added she would also like to request that those involved with NYSAC bring their voice to the State as a County organization to assist the other community colleges across the State, as well as SUNY Adirondack.

Chairman Conover mentioned Dr. Duffy would be asked to provide input on the County Infrastructure program to ensure the County had a clear picture of the short and long-term capital needs of the College.

Chairman Conover called for announcements.

With regards to hazardous materials, Supervisor Geraghty advised he felt compelled to point out all of the transfer stations in the County were managed by their respective towns and he suggested the County place signage up and do a better job properly training staff regarding the hazardous items they did not want to be disposed of in their landfills. He added another thing he would like to comment on was that he did not like it when Supervisors indicated they had crafted something, as it did not just concern them, but rather the full Board. He said when matters were brought before the Board such as funding for the Civic Center, it was decided by the full Board and not just a small working group that worked on the matter before it went before the Board.

Supervisor Simpson invited everyone to attend the Brant Lake Winter Carnival which was starting tomorrow at noon and would have several different events going on.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Beaty and seconded by Supervisor Dickinson, Chairman Conover adjourned the Board Meeting at 11:53 a.m.