

# Warren County Board of Supervisors

**BOARD MEETING  
FRIDAY, MAY 17, 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 10:01 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor McDevitt.

Roll called, the following members present:

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

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the April 19, 2019 Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Strough, seconded by Supervisor Simpson and carried unanimously.

Continuing to the presentation of the employee of the month award, Kevin Hajos, *Superintendent of Public Works*, apprised Tim Benway, *Director, Parks, Recreation & Railroad*, had nominated Jeff Inglee, *Warren County Fish Hatchery Manager*, for the employee of the month award. He stated Mr. Inglee had been employed by with the Parks, Recreation & Railroad Department for about eleven years during which time he had been instrumental in the operation of the Fish Hatchery; he noted Warren and Essex Counties were the only Counties in the State who operated their own fish hatcheries. He advised it was due to Mr. Inglee's efforts that the Fish Hatchery was so well run and above par and he added other accomplishments of Mr. Inglee included the stocking program and the Spring Zing event which occurred last weekend and had over 350 attendees. He proceeded to read aloud a letter from the Adirondack Chapter of Trout Unlimited regarding their appreciation of the assistance provided by the Warren County Fish Hatchery, and in particular Mr. Inglee, in carrying out their support of numerous area Trout in the Classroom Programs this past Fall by providing them with trout eggs when the NYS DEC (*New York State Department of Environmental Conservation*) was unable to due to unforeseen circumstances; *a copy of the letter is on file with the items distributed at the May 17<sup>th</sup> Board Meeting*. A round of applause followed. Ryan Moore, *County Administrator*, and Chairman Conover presented Mr. Inglee with a Certificate of Appreciation from the Board and a piece of pottery featuring a rendering of outline of Lake George.

Mr. Inglee remarked he would not have been able to accomplish this without the efforts of the Fish Hatchery staff and he thanked the Board members for their recognition. Another round of applause was given.

Proceeding with the Agenda review, Chairman Conover extended privilege of the floor to Supervisor McDevitt, for the presentation of a Certificate of Excellence to Shelby Gardner, *a SUNY (State University of New York) Adirondack graduate*. Supervisor McDevitt stated he had the honor and privilege of representing the Board and speaking at the graduation ceremony for SUNY Adirondack. He welcomed Ms. Gardner, who was present this morning with her daughter to receive this recognition. He remarked

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on behalf of the Board of Supervisors he was pleased to recognize Ms. Gardner, a nursing graduate who demonstrated persistence and the tenacity it took to be a success. He mentioned as a resident of the City of Glens Falls, Ms. Gardner enrolled at SUNY Adirondack in 2010, but had to put her education on hold when her mother passed away. He continued, four years later Ms. Gardner re-enrolled in courses to pursue a career in healthcare when tragedy struck again with the passing of her father. He advised this solidified Ms. Gardner's dream to be a caregiver in the roll of a nurse, apprising she had overcome many obstacles with the support of her family and the College. To go from a high school drop out to a college graduate. He said Ms. Gardners' plans for the future were to pursue a career in medical surgery or psychiatry while continuing to pursue a Bachelor's Degree in Science in Nursing at SUNY Plattsburg. He congratulated Ms. Gardner and voiced how proud the Board was of her accomplishment and wished her well as she embarked upon this noble career and he presented her with the Certificate of Excellence. A round of applause followed.

Supervisor Hyde entered the meeting at 10:09 a.m.

Continuing with the Agenda review, privilege of the floor was extended to Jim Lieberum, *District Manager, Warren County Soil & Water Conservation District*, to review the draft 2018 MS4 (*Municipal Separate Storm Sewer System*) Annual Report. Mr. Lieberum stated he was present to end the public review and comment period for the draft 2018 MS4 Annual Report, apprising it had been announced for public review at the April 29<sup>th</sup> meeting of the Public Works Committee and hard copies had been made available for public review and comment at the Warren County Clerk of the Board's Office, the office of the Department of Public Works and the Soil & Water Conservation District office, as well as being available in electronic format at his organizations website and the County website. He mentioned currently there had been no comments received. He remarked how important it was for this report to be made available to the public, as it demonstrated public input in process. He advised the County had been part of the MS4 Program since 2003 and it only concerned County facilities and infrastructure located within the designated urban area here. He encouraged anyone interested in obtaining more information regarding the MS4 Annual report to visit his offices website where detailed information was provided including the past reports. He said the report was a total of fifty-five pages which consisted of a summary of the activities that occurred for storm water erosion control, education outreach and other things of that nature that had occurred in those urbanized areas.

Supervisor Magowan advised he would like to take a moment to recognize Mr. Liberum for receiving the prestigious Willard F. Croney Distinguished Service Award from the New York State Conservation District Employees' Association and he asked Mr. Lieberum to describe what this achievement entailed. Mr. Lieberum stated his staff had nominated him for this lifetime achievement award which he was honored to receive because many of those who had received the award before him were individuals he respected and had known since he first became employed by the organization. He remarked he would not have been able to obtain the award without the hard work and dedication of his staff, who worked tirelessly on a variety of projects. He added he believed this award reflected well on his office, as well as the County and he thanked the Board for the assistance the County provided to his organization. Supervisor Magowan thanked Mr. Lieberum for all of his hard work and achieving what he did all over the County on behalf of the Board of Supervisors. A round of applause followed. Mr. Lieberum apprised it was necessary for the Board to close the public comment period and then approve the report in order for him to be able to submit it to the NYS DEC.

Motion was made by Supervisor Dickinson seconded by Supervisor Merlino and carried unanimously to close the public comment period and accept the MS4 Annual Report.

Motion was made by Supervisor Dickinson, seconded by Supervisor Merlino and carried unanimously

to approve the MS4 Annual Report.

Moving along to the report by the Chairman of the Board, Chairman Conover advised he and a number of other Supervisors had toured the County Jail on April 23<sup>rd</sup> and he added how impressed he was with how well maintained the facility was; he opined that it looked brand new which he attributed to the care provided by the maintenance and buildings and grounds staff for the facility. He thanked Sheriff York and Supervisor Leggett for arranging the tour. He stated he attended the EMS Advisory Board meeting on April 25<sup>th</sup> and later that evening he, along with many other Board members, had attended a demonstration of the electronic poll books in the Human Services Building with representatives of the Board of Elections which he found to be very informative. Chairman Conover stated on May 13<sup>th</sup> he had attended a Lake George Partnership meeting at the Town of Queensbury and yesterday he had attended the InterCounty Legislative & Rules Committee meeting in Essex County during which they toured their headquarters of the Meals on Wheels Nutrition Program where over six hundred meals were produced on a daily basis to be delivered to congregate sites and for home delivery. He informed during the meeting NYSAC (*New York State Association of Counties*) staff provided a presentation concerning currently legislative and issues pertaining to State and County Governments.

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

Supervisor McDevitt stated the highlight of the month for him was the SUNY Adirondack Graduation Ceremony this past Saturday at the Cool Insuring Arena. He remarked he believed the Cool Insuring Arena was an appropriate location to use for this purpose as opposed to a gymnasium, as he believed it added a sense of warmth and excitement to the process.

Chairman Conover thanked Supervisor McDevitt for agreeing to represent the County at the graduation ceremony and he added he concurred with Supervisor McDevitt that the Cool Insuring Arena was an excellent venue to use for this purpose.

Supervisor Braymer reported on the April 22<sup>nd</sup> meeting of the Environmental Concerns & Real Property Tax Services Committee meeting where they approved proposed Resolution Nos. 196-199 and she requested support of each, as well as proposed Resolution No. 218, *Introducing Proposed Local Law No. 6 of 2019 Entitled "A Local Law to Establish a Sustainable Energy Loan Program (Open C-Pace) in Warren County" and Authorizing Public Hearings Thereon*. She stated the next meeting was scheduled for May 30<sup>th</sup> during which a topic for discussion would involve the Climate Smart Communities Program.

Supervisor Driscoll indicated he had nothing to report on.

Supervisor Frasier stated the Health, Human & Social Services Committee had met on April 22<sup>nd</sup>, approving proposed Resolution Nos. 200-214. She called attention to proposed Resolution No. 214, *Authorizing Inter-Municipal Agreement with Washington County to Provide Mentoring to Veterans under the Joseph P. Dwyer Veteran Peer Services Program*, and she acknowledged Denise DiResta, *Director, Veterans' Services*, and her counterpart in Washington County for their efforts to get this program off the ground. Supervisor Frasier stated she had attended a meeting of the Quality Care Coalition which Ginlle Jones, *Director, Public Health*, had worked tirelessly on to assemble at Centers Health Care Facility. She voiced her pleasure with the attendance at the meeting and she noted that four nursing home facilities had representatives at the meeting, as well as many of the human service agencies in the region. She informed the Coalition planned on meeting on a quarterly basis and she added she was looking forward to hearing about the progress that was made by them. She noted Supervisors Driscoll and Hogan had attended the meeting, as well. She advised she had also attended the meeting of the

Intercounty Legislative Committee of the Adirondacks yesterday in Essex County.

Supervisor Simpson apprised the Public Works Committee had met on April 29<sup>th</sup>, approving proposed Resolution Nos. 224-231, most of which concerned consultant services on County Bridge Projects throughout the County. He added they had also discuss the RFP (*Request for Proposal*) for the County Railroad and he asked Mr. Moore when the matric concerning a timeline for a decision making process on the County Railroad would be completed and Mr. Moore responded he hoped to be able to distribute it to the Board next week. Supervisor Simpson stated they would commence with the process and provide a presentation for the Committee at their next meeting. He remarked the lobby day in Albany, New York for the Adirondack Park had been a success with good attendance and productive meetings to discuss key issues in the Adirondacks with the regions legislative representatives such as the banning of ATV's, the lack of cellular and broadband coverage there, etc. He mentioned there was about twenty days remaining in this legislative session following which he hoped to have some good news to report. Supervisor Simpson remarked he was pleased to report work on the Middleton Bridge would be moving forward as a result of a letter drafted by Assemblyman Stec to the NYS DOT (*New York State Department of Transportation*) with the support of Assemblyman Englebright, who was Chairman of the Assembly Committee on Environmental Conservation, that explained the significance of this bridge to Warren County.

Supervisor Hogan stated it had been a productive month for Cornell Cooperative Extension with over forty participants in the Game of Logging Training Program. She said the Board of Directors for Cornell Cooperative Extension had awarded the bid for electrical supplies to complete the building to GMES in the City of Glens Falls and a Warren County electrician was going to assist by handling the installation. She informed the Master Gardeners plant sale was schedule for June 1-2, 2019 at their facility in the Town of Warrensburg and she encouraged anyone who had not already purchased their plants to do so there. Supervisor Hogan announced Cornell Cooperative Extension was updating their Strategic Plan for 2019-2021, apprising this would be a major undertaking.

Supervisor Dickinson advised the Occupancy Tax Coordination Committee had met on April 23<sup>rd</sup>, approving proposed Resolution Nos. 219-221. He thanked Supervisor Driscoll for coming to the Town of Lake George to do a presentation regarding SNAP (*Supplemental Nutrition Assistance Program*) which he found to be very informative. Supervisor Dickinson voiced his pleasure regarding the fact that for the first time since he was elected six years ago that the State had made available funding to assist homeowners with their septic systems on their properties.

Supervisor Merlino reported on the April 29<sup>th</sup> meeting of the Park Operations & Management Committee, where they approved proposed Resolution Nos. 222-223 and he provided a brief overview of each. He stated he had no report on Tourism other than there was an upcoming Committee meeting on June 4<sup>th</sup> and he extended privilege of the floor to Joanne Conley, *Director, Tourism*, to provide an update regarding the tour given to some representatives from China a few weeks ago.

Ms. Conley advised a Tourism and Cultural Exchange had taken place here two weeks ago during which she and Tanya Brand, *Group Tour Promoter*, took a group of delegates from Huangshan, China, the fourth largest tourists destination City in China, who were guests of Assemblyman Smullen and former Assemblyman Butler, to The Sagamore Resort. She mentioned there had been a signing of an agreement between the Adirondack region and the Huangshan region due to their similarities in geography, the fact that their both tourist destinations and culture. She stated that Supervisor Simpson and a number of other representatives of the Adirondack region had been part of the signing of what was considered a "sister agreement". She mentioned Warren County had a China Ready program that Ms. Brand was working on through her International Program to assist local businesses in being prepared to

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accommodate the chinese tourists, as there were about one million chinese americans who lived in New York City who had family travel from China to visit them and tour other areas in the State, as well. She said this was a good connection for them and she hoped to move this forward with their partners in the Adirondacks and their partners with I Love NY.

Supervisor Simpson advised he had met with several hundred Chinese delegates at the United Nations in New York City during which he was impressed with how the County Tourism Department was integrated throughout the Adirondacks, as well as with this connection in New York City. He said this displayed the testament of the Tourism Department. He said this was not only driven by tourism and the economy, but also environmentally. He stated the Huangshan region of China was smaller than the Adirondacks, but had just as many peaks and a population of 1.8 million which is why they had the same type of struggles as the Adirondacks did. He remarked that Ms. Conley and her staff had done an exceptional job.

Supervisor Strough apprised the Legislative & Rules Committee had met on May 2<sup>nd</sup>, approving proposed Resolution Nos. 215-218 and he provided a brief overview of each. In regards to proposed Resolution Nos. 243, *Establishing Capital Project No. H386 CR7 over Halfway Creek Bridge Replacement; Authorizing Transfer of Funds and Amending Warren County Budget for 2019*, and 228, *Authorizing Agreement with Creighton Manning Engineering for Consultant Services in Connection with Capital Project H386 CR 7 over Halfway Creek Bridge Replacement, Town of Queensbury*, Supervisor Strough clarified the official name was Halfway Brook and not Creek.

Supervisor Wild indicated they had nothing to report.

Supervisor Beaty advised the Shared Services Committee had met on April 23<sup>rd</sup>, approving proposed Resolution No. 232 which he provided a brief summary of. Supervisor Beaty reported on the April 29<sup>th</sup> meeting of the County Facilities Committee meeting where they approved proposed Resolution Nos. 182-185 and he provided a brief overview of each. He mentioned Mr. Moore would be proposing an amendment to proposed Resolution No. 184, *Authorizing Selection of Jacobs Civil Consultants, Inc., McFarland Johnson, Inc., and Aecom USA, Inc. to Serve as Architectural/engineering and Planning Consultants for the Floyd Bennett Memorial Airport (Wc 002-19)*, during his report. Supervisor Beaty advised he would like to add a few remarks to the statement he made at the last Board Meeting regarding the number one issue in the State which was how to prevent the residents from moving out of the State. He stated student enrollment at public institutions was declining, more so in community colleges, and public schools enrollment was at 2.6 million in the State which was the lowest level in thirty years. He apprised forty-six of the sixty Counties in the State's population was declining and the number of deaths were outnumbering the number of births. He informed the State of Florida had 65,000 residents from New York State relocate there last year; he apprised there was a possibility that in the next census the State could lose two Congressional seats, going from twenty-seven to twenty-five resulting in less voice for the State there. He expressed that it was imperative to determine how to prevent people from moving out-of-State, as he felt this was the number one issue in New York. He added a result of the dwindling population there was a revenue shortfall in the State Budget because the Governor had not anticipated that as many people would move out-of-State that did. He advised it was imperative that they determine what the County could do to continue to encourage people to stay and love the area that was home to everyone here.

Supervisor Magowan indicated he had no Committee report, but he acknowledged the Supervisors for working together at the Committee meetings to bring forward all of these resolutions.

Supervisor Sokol apprised the Finance Committee had met on May 2<sup>nd</sup>, approving proposed Resolution

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Nos. 180-181 and 240-245. He called attention to proposed Resolution No. 240, *Approving the Warren County Bad Debt Policy*, which would adopt a formal policy regarding bad debt. He said typically the bad debt was reviewed in executive session during a Finance Committee meeting regardless of the dollar amount and this policy would streamline the process and a quarterly report would be provided to the Finance Committee. In regards to proposed Resolution No. 241, *Amending Resolution No. 391 of 2007, Which Established a Petty Cash Fund for the County Clerk's Office, to Increase the Amount of the Petty Cash Fund*, Supervisor Sokol informed there had been a revision in the total amount of the Petty Cash for the County Clerk's Office and the appropriation to Health Services had been removed from proposed Resolution No. 245, *Authorizing the Appropriation of Funds from the Computer Reserve Fund to Various Departmental Budgets; Amending 2019 Warren County Budget*, as grant funding was available to purchase the laptops for the Department.

Supervisor Sokol offered privilege of the floor to Mike Swan, *County Treasurer*, to provide the monthly update regarding the County's finances. Mr. Swan stated sales tax revenue was down slightly; however, he noted, he was not concerned because they were just above where they needed to be as a result of how Supervisor Thomas had budgeted for this revenue source. He added they were above what had been budgeted for occupancy tax collections which was a good indicator that they were not in a downturn of the economy. He mentioned he had finally received some data from the New York State Department of Taxation and Finance concerning how much sales tax was collected from the tourist accommodations, restaurants, gasoline sales, etc. in 2016 and he was currently working on compiling this data into a report to provide to the Board members within the next few weeks. He advised he had been working with the Glens Falls National Bank & Trust Company on an investment plan for the County's deposits which would be advantageous to the County through interest income generated.

Supervisor Braymer questioned how much occupancy tax was remaining that could be disbursed and Mr. Swan replied there was a sufficient amount of money to cover what was required for the County to distribute and then there was a surplus, but he was unsure of the balance. Ms. Braymer stated that there was a resolution before them today which was requesting an additional \$30,000 and she was aware of at least one more outstanding request for occupancy tax funds this year. Mr. Swan apprised there was a substantial balance to cover those requests, explaining one million dollars was carried over each year for cash flow purposes, meaning even if enough funds had not been collected to cover these expenses this year there would be a sufficient balance to cover the requests for funding.

Mr. Moore confirmed the occupancy tax reserve balance had a sufficient amount of money to cover the request before them today, as well as the outstanding requests.

Supervisor Thomas apprised the Budget Committee would be meeting on May 30<sup>th</sup> during which representatives from ANCA (*Adirondack North Country Association*) and Lakes to Locks would be on hand to answer questions regarding their organizations and the County's annual financial contribution to them to cover their expenses. He added another topic of discussion would be the Unappropriated Surplus Fund Balance, as well as any other topics that may be brought forward for discussion. Supervisor Thomas advised he had attended a Forest Management Training Program this past week at the NYS DEC office in the Town of Warrensburg which he found to be very informative.

Supervisor Hyde indicated she had nothing to report on.

Supervisor Geraghty stated that the Personnel & Higher Education Committee had approved proposed Resolution Nos. 234-239 and he provided a brief overview of each. He said he had attended the Spring Zing at the Warren County Fish Hatchery which was well attended and he visited the Highway Employee Safety Days at the Warren County Fairgrounds this past Wednesday. With regards to Shared Services,

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Supervisor Geraghty informed the Town of Warrensburg had located a new tractor for mowing on the NCPA (*National Cooperative Purchasing Alliance*) that Julie Butler, *Purchasing Agent*, had made available to the municipalities when they were unable to locate what they were looking for on the State contract. He encouraged anyone interested in observing a Meals on Wheels Program that used only a single site to cook and prepare all of their meals that they visit the Essex County site they toured during the Intercounty Legislative Committee of the Adirondacks.

Supervisor Leggett reported on the April 23<sup>rd</sup> meeting of the Criminal Justice & Public Safety Committee meeting where they approved proposed Resolution Nos. 186-193 and he provided a brief overview of each. He advised he had also attended a Hazard Mitigation Planning Workshop with Supervisor Thomas, as well as the Forest Management Training Program this past week at the NYS DEC office in the Town of Warrensburg. He added he had also attended the Highway Employee Safety Days at the Warren County Fairgrounds which was offered by the Warren County Self-Insurance Department.

Supervisor Diamond indicated he had nothing to report on.

Continuing to the report by the County Administrator, Mr. Moore stated not only was the State losing population and representation, individuals were also relocating from Upstate New York to the Downstate region and the fewer representatives they had were more concentrated downstate; he said the exception was Saratoga County, where people were moving there instead of away. He remarked in his mind there was no reason why Warren County could not be also be a place people moved to just as they did in Saratoga County through long-range planning. He encouraged thinking about the needs of the community and ways this County could play a positive roll in developing and moving forward into the new century. He mentioned there had been a great editorial featured in *The Post Star* this past week which touched upon some of these themes, and as previously stated by Supervisor Beaty, there were many Supervisors on this Board who were thinking of long-term solutions and had been discussing their ideas with him. He said he believed they would develop a positive plan to move forward with.

Mr. Moore recognized Shawn Lamouree, *Warren County Undersheriff*, for 30 years of service to the Sheriff's Office and Mr. Moore read aloud a listing of the meetings he had attended since the April 19<sup>th</sup> Board Meeting; *a copy of Mr. Moore's report is on file with the items distributed at the Board Meeting.*

Mr. Moore stated that proposed Resolution No. 184, *Authorizing Selection of Jacobs Civil Consultants, Inc., McFarland Johnson, Inc., and Aecom USA, Inc. to Serve as Architectural/engineering and Planning Consultants for the Floyd Bennett Memorial Airport (Wc 002-19)*, pertained to pre-qualifying firms to handle engineering and planning work at the Airport over the next five years. He stated Mr. Hajos and Don DeGraw, *Airport Manager*, requested that the resolution be amended to remove C&S Engineers from the proposed Resolution because the FAA (*Federal Aviation Administration*) had shut down the Runway Extension Project in terms of being a funding partner meaning all of C&S's related work on that which had been approved previously by the FAA immediately ceased. He said C&S Engineers would continue to work with the County to close out this Project. He said the other Project C&S was working on was the Snow Removal Equipment Building which was based off of the previous pre-qualified list and they had already prepared the grant application which the Board approved submission to the FAA at the April 17<sup>th</sup> Board Meeting. He mentioned at the appropriate time Mr. Hajos would be returning to the County Facilities Committee and to the full Board for permission to C&S to complete this project which involved design and inspection work. He advised as per Ms. Butler, C&S was not required to be included on the new pre-qualification list in order to finish up this project, as they could continue to work under the authority of the previous list. He requested that proposed Resolution 184 be amended

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to establish that the new pre-qualified list consist only of Jacobs Civil Consultants, Inc., Mcfarland Johnson, Inc., and Aecom Usa, Inc.

Motion was made by Supervisor Simpson, seconded by Supervisor Beaty and carried unanimously to approve the request to amend proposed Resolution No. 184 as outlined above.

Privilege of the floor was extended to Mary Elizabeth Kissane, *County Attorney*, to provide a report from the County Attorney. Ms. Kissane provided an update on two lawsuits that were decided this past week in favor of the County, the first of which was Sassy vs. Warren County and the other was Mahar vs. Warren County and she provided a brief overview of each judgement.

Resuming the Agenda review, Chairman Conover called for the reading of communications, which Sarah McLenithan, *Deputy Clerk of the Board*, read aloud, as follows:

Reports from:

1. Capital District Regional Off-Track Betting Corporation Financial Reports dated January 31, 2019 and February 28, 2019;
2. Capital District Regional Off-Track Betting Corporation Audited Financial Statements for years ended December 31, 2018 and 2017; and
3. Audited Financial Report Update Document for the County of Warren for the fiscal year ended December 31, 2018.

Minutes from:

1. Warren County Jury Board Annual Meeting.

Letters/emails from:

None.

Other:

1. Capital District Regional Off-Track Betting Corporation March 2019 payment in the amount of \$3,658.

Continuing to the reading of resolutions, Ms. McLenithan announced proposed Resolution Nos. 180-245 were mailed; she informed that proposed Resolution Nos. 223, 241 and 245 were amended after mailing and a motion was needed to approve the revisions. The necessary motion was made by Supervisor Simpson, seconded by Supervisor Sokol and carried unanimously. She stated proposed Resolution No. 184 had been amended from the floor.

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

Supervisor McDevitt requested a roll call vote on proposed Resolution No. 217, *Opposing New York State Senate Bill S.1947 and New York State Assembly Bill A.1261 Related to Hours, Wages and Supplements in Contracts for Public Work*.

Supervisor McDevitt advised he was fully supportive of New York State Senate Bill S.1947 and New York State Assembly Bill A.1261, as he believed one of the biggest issues in the Country was paying living wages. He said those who fell under the realm of the bottom of the economic ladder such as electricians, plumbers, etc. who worked hard in an effort to meet their responsibilities as parents and citizens. He informed this law was embedded into the New York State Constitution, apprising he would chose to pay slightly more in taxes to ensure that those impacted by this were provided

with a living wage.

Supervisor Braymer stated she was also in support of New York State Senate Bill S.1947 and New York State Assembly Bill A.1261 due to the fact that she felt fair, equitable wages should be paid to union members and those that Supervisor McDevitt just referred to that worked hard in the trade industry.

Supervisor Braymer apprised the other matter she would like to discuss was the State Budget deficit that Supervisor Beaty had mentioned. She stated a part of this deficit was a \$2.3 billion loss to the State as a result of the Federal Administrations Tax Policy. She said this had not only hurt the State, but also its taxpayers who could use a wage increase.

Supervisor Beaty informed he disagreed with Supervisors McDevitt and Braymer and he noted New York State had the highest tax rate in the Country. He mentioned adding additional costs to projects would result in more tax which he did not agree with, as this would increase the amount of residents who wanted to move out-of-State. He pointed out the average wage in New York State was above the majority of all other States. He concluded by stating he would be voting in favor of proposed Resolution No. 217, *Opposing New York State Senate Bill S.1947 and New York State Assembly Bill A.1261 Related to Hours, Wages and Supplements in Contracts for Public Work.*

Supervisor Strough remarked he respected and concurred with Supervisor McDevitt that they did have to promote a fair wage to ensure individuals were able to pay their bills and earn a decent living and he noted municipalities were required to pay the prevailing wage rates and ensure that benefits were paid for workers on direct projects that involved the government. However, he pointed out, he could foresee the collateral as being potentially damaging. As an example, he said fire houses that were independent companies could be prevented from constructing safer buildings because they were unable to afford to pay the prevailing wage rates, as well as not-for-profits who wanted to do greater things in the community, but could not afford to do so. He said he understood the intent, but it was the collateral damage that would result from this law which concerned him.

Supervisor Simpson informed he had been self-employed for thirty-one years during which time he had the option to be a part of some sort of organized labor which would dictate what his paycheck would be. He voiced his opposition to New York State Senate Bill S.1947 and New York State Assembly Bill A.1261, apprising he had been able to make an appropriate wage during his career through hard work and advertising; he added it was solely his responsibility to be compensated fairly. He mentioned this law would add more burden to employers which would result in an additional burden being placed on employees, thereby contributing to the loss of business and economic viability in New York State.

Supervisor Driscoll stated the reality was this was a quality versus quantity issue because if employers were required to increase their wages they would decrease the number of staff they had. He said this would result in more people having less opportunities to work, apprising although he concurred they had to offer affordable wages, they should also stretch that out to as many people as possible.

Supervisor Magowan advised while he concurred with Supervisors McDevitt and Braymer he, as well was opposed to New York State Senate Bill S.1947 and New York State Assembly Bill A.1261. He stated he had been self-employed for thirty-five years and was well aware of the hard work required

to make a decent living and that was why he felt forcing employers to pay the prevailing wage rates would force them to move out-of-State. He pointed out the Queensbury Fire House had to make changes because they could not afford to pay the prevailing wage rate. He remarked he felt a better solution would be to come up with a compromise that was fair to both the employers and employees.

Supervisor McDevitt apprised the fire houses in the Town of Queensbury appeared to be more like museums due to their stunning appearance. He said this was why he did not have sympathy for the firemen in the Town of Queensbury because they felt they were not adequately supported.

Supervisor Wild asked whether there was any modification to the New York State prevailing wage to reflect more local wages, as he believed it would be unreasonable to expect Warren County to pay the same wage as some borough of New York City. Chairman Conover responded that municipalities were required to pay New York State Prevailing Wage Rates or Davis Bacon which was a Federal wage rate depending upon whichever one was greater and typically it was the New York State rate. Mr. Moore apprised there were regional differences. Supervisor Geraghty stated the information was available online at the New York State Department of Labor's website based upon the occupation and region the project was located in. Supervisor Wild inquired how much of an increase the prevailing wage rate was over what the typical wage was with other contracts and Mr. Moore responded it depended upon the project and whether the workers it impacted with were unionized. Supervisor Leggett apprised a recent bill the Town of Chester received from a contractor contained a labor rate of \$120 an hour but the prevailing wage rate was \$220 an hour for that same job. Chairman Conover informed it was broken down by Title 8 which included service wages for landscaping, etc, and Title 9 which covered Public Works. He said anyone who bid on a public project was required to pay prevailing wage and then when they submit for the vouchers municipalities were required to keep those payrolls and that literature on file should there be any type of audit to ensure everyone who worked on the project was paid correctly.

Supervisor Magowan advised he felt compelled to clarify he was not signaling out the firehouses in the Town of Queensbury, but he believed this could be an instance where they could save money if they did not have to pay the prevailing wage rate. He stated he was aware that the fire stations in the City of Glens Falls were older buildings; however, he noted, the Town and City structured their Fire Departments differently.

Chairman Conover called for a vote on resolutions, following which Resolution Nos. 180-245 were approved, as presented with the exception of proposed Resolution No. 184 which was amended from the floor.

During the roll call vote, Chairman Conover asked that they start over on the roll call vote on proposed Resolution No. 217, *Opposing New York State Senate Bill S.1947 and New York State Assembly Bill A.1261 Related to Hours, Wages and Supplements in Contracts for Public Work*, as several of the Supervisors had misunderstood that a vote in opposition meant they were in support of New York State Senate Bill S.1947 and New York State Assembly Bill A.1261.

In regards to proposed Resolution No. 235, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2019 for the District Attorney's Office*, Supervisor Braymer remarked while she believed the District Attorney was entitled to a fair wage, she felt that \$200,400 was a significant salary for this region and she was concerned that the resolution indicated that future

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mandatory salary increases were to be made administratively without the need for further Board approval. She pointed out this meant they would have to bring their opposition to the wage from the floor going forward because any pay increases for the position would not require Board approval.

Supervisor Beaty apprised the State was the one who set the salary for the District Attorney position, noting the County had no control over what the salary was. Supervisor Braymer interjected her point was the County would have to lobby to the State if they ever wanted to take control over the salary.

Supervisor Geraghty advised Mr. Moore had stated at the Personnel & Higher Education Committee meeting that he would ensure that the Committee was notified whenever the State made changes to the salary of the District Attorney position.

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

Steve Baratta, *City of Glens Falls Resident*, stated that the Board had voted in favor of Resolution No. 217, *Opposing New York State Senate Bill S.1947 and New York State Assembly Bill A.1261 Related to Hours, Wages and Supplements in Contracts for Public Work*, due to the fact that it would create additional expenses to the County and drive jobs away and yet they also voted in favor of increasing the salary of the District Attorney, whose salary was already substantial. He said he interpreted this to mean that the Board valued the District Attorney's work over the other work in an uninformed way. He remarked he could not comprehend why low wage laborers were valued less than high paid white collar workers in society, as well as this County.

Supervisor Magowan apprised he felt compelled to point out the County had no control over the salary for the District Attorney position, as the salary was mandated by the State. Chairman Conover recommended that Mr. Baratta meet with Mr. Moore following the conclusion of the meeting to get a better understanding of the process the County was required to follow. Mr. Baratta remarked the point he was making was that Resolution No. 217 would have also addressed the same type of mandated law to address the wages of workers.

Travis Whitehead, *Town of Queensbury Resident*, advised he felt there would be unintended consequences relating to New York State Senate Bill S.1947 and New York State Assembly Bill A.1261, as there was some question as to what the final form of the law would be. He stated as a member of the WWIDA & CDC (*Warren-Washington Industrial Development Association & Civic Development Corporation*) they had been notified that this law could force anyone who applied for funding with them to follow these rules, as well. He stated if these private businesses who went before the WWIDA & CDC for funding for private projects were required to pay the prevailing wage rate which he did not believe they would be able to afford to pay resulting in them receiving no more requests. He advised this was one of the unintended consequences of this law that needed to be considered. He said he did believe some blue collar workers should be paid more than some lawyers because they contributed more.

With regards to the FAA's decision to no longer fund the Runway Extension Project, Mr. Whitehead stated he knew some Board members were disappointed by this decision because they were hoping for some economic gains from the extension; however, he noted, they had already achieved the economic benefits which had nothing to do with the Runway Extension Project. He mentioned when he first started to oppose the Runway Extension Project five years ago there were two jets based there and today there were five and yet the runway was no longer than it previously had been. He

informed what did occur was that a private individual recognized that there was a need that needed to be filled if we were to track jets and moved forward with investing million of their own money in building to construct six T-Hangars. He pointed out this individual was being taxed on the T-Hangars he erected at the Airport which were assessed at \$1.5 million; however, he noted Warren County paid no taxes on their property at the Airport which was assessed for \$13 million. He stated he was pleased to see the \$10 million could now be spent at an airport that was in need of that funding for improvements to accommodate the air traffic there. He concluded by stating he felt this was a good thing for the County and the United States.

Gina Mintzer, *Executive Director, Lake George Chamber of Commerce & CVB*, apprised with regard to sales tax collection she felt compelled to point out that a number of big box retail stores had recently gone out of business including Sears and Kmart and the revenue from these would not be returning. She stated although new stores, such as Harbor Freight and Dollar General, had been constructed, the amount of sales tax generated from these was not the same and it was necessary for the Board members and the business community to be aware of this. She advised it was necessary to come up with ways to make up for this loss because occupancy tax did not make up for this.

Chairman Conover called for announcements.

Supervisor Simpson informed there had been a significant amount of discussion concerning the loss of population in the Adirondacks and enrollment in public schools there, but they had not heard much about the 2020 census that would be occurring and was critical for not only all of their communities, but also the Adirondack Park. He said in 1932 there was 132,000 residents in the Adirondack Park and they thought it was less today, but they were unsure and the amount of funding that was provided to that region related to this figure including Federal support for broadband and cell phone coverage. He encouraged the Board members to promote the 2020 census and encourage their constituents to participate. Supervisor Simpson announced Food Truck Friday was occurring June 29<sup>th</sup> in the Town of Horicon and would occur every Friday thereafter at 4:00 p.m. and included food, music and a showcase of the local businesses.

Supervisor Merlino apprised about 3.5 years ago they had met with representatives from the NYS DOT to discuss the poor condition of the State Roads in the County. He stated he was pleased to announce that by Wednesday eleven miles of State Route 9N in the Town of Lake Luzerne would be paved and he thanked the Supervisors who had participated in that meeting.

In regards to the census issue, Supervisor Braymer stated during their trip to Washington D.C. they had been advised that there was a push by the Federal Administration to only count individuals that had a mailing address at a residence versus those who had a P.O. Box and she was aware that some of the residents of the County only had P.O. Boxes. She said if the census did not count everyone in the County it would negatively impact its funding and representation.

Supervisor Simpson stated he would know more after the Public Hearing in Ray Brook, New York on the census that he had been asked to speak at.

Supervisor Geraghty exited the meeting at 11:44 a.m.

Chairman Conover remarked it was necessary to be cognizant that the census delivered a survey to every address, including those in communities where the homeowners were seasonal residents. He said they needed to be mindful the more tourism oriented communities would come back with a lower population due to this fact.

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Supervisor Leggett announced that Woofstock was scheduled for June 8-9, 2019 behind the Chester Town Hall and he welcomed everyone to attend.

Supervisor Driscoll stated he had done a presentation regarding the SNAP Program in the Town of Horicon last night and would be doing another in the Town of Johnsbury next Tuesday, with two remaining municipalities he hoped to be able to schedule something within the month of June. He apprised after attending a number of Town Board meetings he would like to invite and encourage some of his counterparts from the City of Glens Falls and the Town of Queensbury to attend some area Town Board meetings in the northern portion of the County, as he found it to be very educational.

Chairman Conover apprised the Town of Bolton was pleased to have Supervisor Driscoll carry out his presentation on the SNAP Program there, as he found it to be very informative.

Supervisor Sokol thanked Ms. McLenithan and Molly Ganotes, *Legislative Office Specialist*, for filling in the absence of Amanda Allen, *Clerk of the Board*.

Supervisor Thomas stated the Town of Stony Creek Historian was holding an event on Saturday, June 1<sup>st</sup> entitled "The Other Side of the Creek:" which was in conjunction with Dean Farm Heritage Trail. He said the Stony Creek's Historical Associations two museums would be open, as well a number of vendors.

Chairman Conover thanked Brain LaFlure, *Director, Office of Emergency Services/Fire Coordinator*, for the assistance his office provided to the Town of Bolton during their recent water emergency.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Dickinson and seconded by Supervisor Strough, Chairman Conover adjourned the Board Meeting at 11:48 a.m.