

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, OCTOBER 18, 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 10:00 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Hogan.

Roll called, the following members present:

Supervisors Leggett, Diamond, McDevitt, Braymer, Loeb, Driscoll, Frasier, Simpson, Hogan, Dickinson, Merlino, Wild, Beaty, Magowan, Sokol, Thomas, Hyde, Geraghty and Conover- 19; Supervisors Strough and Sokol absent- 2.

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the September 20th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Dickinson, seconded by Supervisor Hogan and carried unanimously.

Continuing to the presentation of the employee of the month award, Ryan Moore, *County Administrator*, stated the September Employee of the Month award was postponed until today, due to the Department of Social Services employee being unable to attend the meeting. He said they would have to put it off again until the November 15th Board Meeting due to the recipient being unable to attend the meeting today, as well. He informed the recipient of the October Employee of the Month, who worked for the Information Technology Department, was present today and he offered privilege of the floor to Mike Colvin, *Director, Information Technology*, to provide an outline of this individuals achievements.

Mr. Colvin introduced Jeremy Scime, *Senior Programmer/Analyst*, whose main task was to develop custom applications for every department. He apprised that Mr. Scime created custom systems when systems did not exist or when it was too cost prohibitive to purchase them resulting in significant savings for the County. He stated during Mr. Scime's fifteen year tenure with the County he had dedicated himself to every project he worked on to ensure not only they worked, but also that they were effective. He said he felt one of Mr. Scime's largest assets was his ability to listen to people, while also giving equal consideration to everyone and their needs. He apprised it would be difficult to find someone with Mr. Scime's skill set and easy going personality which was why he was such an asset to the County. A round of applause was given. Mr. Moore and Chairman Conover presented Mr. Scime with a Certificate of Appreciation from the Board.

Mr. Scime thanked the Board members for their recognition and apprised he was proud of the work the Information Technology Department did. Another round of applause was given.

Moving along to the report by the Chairman of the Board, Chairman Conover apprised he had attended a round table discussion on October 3rd in Blue Mountain Lake that was hosted by Senators Gounardes and Tedisco during which a number of issues with the Adirondacks were discussed, including the lack of broadband and cell phone coverage. He added Supervisors Hogan and Simpson had also attended

the meeting. He informed he had attended a meeting at the Lake George Fund with representatives from Lake Hobicomb on October 10th regarding harmful algae bloom. He said periodically round table type discussions took place with other communities that were being negatively impacted by harmful algae bloom to share information regarding what process was used on Lake George. He stated the representatives were taken on a tour of the Jefferson Project at Darren Fresh Water Institute followed by a round table discussion at the offices of the Fund for Lake George. Chairman Conover advised he had attended the meeting of the Lake Champlain-Lake George Regional Planning Board on October 15th followed by a phone conference where the staff of the NYS DOH (*New York State Department of Health*) presented their findings on the Governor's Cancer Research Project. He mentioned he believed the report would be available to everyone shortly. He stated he had attended the Budget Committee meeting on October 16th where the primary topic of discussion involved establishing reserve accounts which he was a big proponent of and he acknowledged Supervisor Thomas, the Budget Committee members and the County Treasurer for recognizing the value in this effort to address future obligations.

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

Supervisor Hogan advised Cornell Cooperative Extension held an event last night for the purpose of recognizing the volunteers that supported the organization, some of whom had been providing the organization with assistance for a significant number of years. She said she was impressed to see their dedication to the work they did there. She apprised Cornell Cooperative Extension was always busy, informing the work on the Education Center was moving along and she recognized the DPW staff for their work on it. She stated the plant sale had been a complete success and she was looking forward to all of the activities they would offer during the winter months which she would forward a schedule of in an email.

Supervisor Dickinson reported on the October 1st meeting of the Occupancy Tax Coordination Committee, noting no resolutions were requested. He apprised the County Treasurer indicated there was a 6.88% increase in occupancy tax revenue collected through September 30, 2019 as compared to the same time frame in 2018, part of which was due to collecting from properties that were past due. Supervisor Dickinson voiced his support of the increase in funding to the Lake George Regional Chamber of Commerce & CVB to allow them to improve upon the services they provide while also working closely with the Tourism Department to attract more tourists to the region. He informed he had the privilege of presenting the Sapphire award to John Strong, *Executive Director, Lake George Arts Project*, at the CVB Board dinner meeting last night and he commended Mr. Strong for the incredible work he had done for the projects over the last thirty-seven years, noting he would be missed.

Supervisor Merlino informed the Tourism Committee had met on October 1st during which they approved proposed Resolution No. 436 which he provided a brief summary of. He stated he was pleased to report due to the favorable fall weather all of the Fall Festivals and events that were held had been well attended. He mentioned the Tourism Department was working on the final stage before the 2020 Warren County Tour Guide was distributed. He apprised the meeting on October 10th with representatives from STR, Inc. was well attended and very informative. He stated the forecast from STR, Inc. was that in 2020 occupancy at hotels in the region would be down by 1% as compared to the same time frame this year, but would increase by 1.5% in 2021. He urged individuals to keep in mind this was just an estimate, as the tourism industry relied heavily on favorable weather conditions which could not be forecasted. He said he had requested that the representatives from STR, Inc. ask their management if they could lower the price to work with some of the smaller businesses who were not accounted for in their report because they could not afford their fee, but he had not received a response

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as of yet. He advised if they were able to account for the businesses that currently were not accounted for in the STR Report, then they would have a more accurate figure pertaining to the number of tourists who stayed in Warren County.

Supervisor Wild stated he had also attended the October 10th meeting with the representatives from STR, Inc. which he felt was very informative. He said one thing that was of particular interest was the amount of data the STR, Inc. had concerning nationwide and worldwide figures. He said he had requested they determine whether any case studies had been done in areas across the nation and around the world that were similar to Warren County and had high occupancy during the summer months which was the shoulder season for the County, but were lacking occupancy during the winter months. He remarked he hoped the representatives from STR, Inc. were able to provide this information to assist the County with developing additional opportunities to increase tourism. Supervisor Wild informed he had also attended the Cornell Cooperative Extension meeting last night, apprising that the organization was appreciative of the financial support they received from the County which he hoped would continue on. Supervisor Wild informed he had invited Dr. Jack Leary to discuss the issues at the Glens Falls Hospital which he found to be troubling during the privilege of the floor portion of the meeting. He said he was looking forward to hearing Mr. Leary's experience with the Hospital which he hoped could be expanded upon to bring more attention to the issues and what assistance the Board may be able to provide.

Supervisor Beaty reported on the September 24th meeting of the County Facilities Committee where no resolutions were approved, but they did refer a matter to the Finance Committee. He stated he had attended the first meeting of the Climate Smart Task Force during which they discussed a number of good issues; he added he was looking forward to providing any insight he could as a member of the Task Force going forward. In regards to the tourism industry, Supervisor Beaty apprised he was fully supportive of what he believed was a successful collaboration between the Tourism Department and the Lake George Regional Chamber of Commerce and CVB which was moving the tourism industry forward in a positive direction. He pointed out percentages could be misleading, specifically in the case where Essex County had a larger increase in their occupancy, as they had significantly less rooms. He remarked overall he felt the County was having an excellent year with regard to tourism and he added that he concurred with Supervisor Wild that this was an area that was still untapped and had a substantial amount of potential; however, he noted, under the direction of Supervisor Merlino, the Tourism Department, the CVB and the County were making great strides there. He questioned how anyone could follow the logic of the STR Report which indicated that tourism would be down next year and then increase the following year.

Supervisor Magowan indicated he had nothing to report on.

Supervisor Thomas stated the Budget Committee had met on October 16th, approving proposed Resolution No. 456 which he provided a brief overview of. He informed during the meeting they discussed and forwarded on to the Finance Committee the proposal he had put together to establish about a half a dozen Reserve accounts. He advised the next meeting was scheduled for Tuesday, October 22nd where some of the particulars to the 2020 proposed Budget would be reviewed and at the November 1st Special Board Meeting he would be presenting the Tentative 2020 County Budget.

Supervisor Hyde indicated she had nothing to report on.

Supervisor Geraghty informed the Personnel & Higher Education Committee had approved proposed Resolution Nos. 437-438. He apprised that he was pleased to report that this year's annual Warrensburg Garage Sale was well attended, with the biggest crowd in five years due to the favorable weather

conditions.

Supervisor Leggett reported the Criminal Justice & Public Safety Committee had met on September 24th, approving proposed Resolution Nos. 419-421 and he provided a brief overview of each. He stated he had attended the Salt Summit in Lake Placid on October 3rd where Mr. Hajos and some of the DPW staff were recognized for their efforts to reduce the amount of salt used on the roads, as well as the Towns of Lake George and Hague.

Supervisor Diamond indicated he had nothing to report on.

Supervisor McDevitt reported on the September 30th meeting of the Health, Human & Social Services Committee, where he had chaired the meeting in the absence of Supervisor Frasier. He mentioned he had spent an hour with Robert Iusi, *Director of Probation*, discussing the impact Bail Reform would have on the State. He apprised while he could understand the rationale of some parts of the Bail Reform in terms of individuals from New York City remaining incarcerated due to being unable to afford to pay their bail which was only a few hundred dollars; however, he noted, he was having difficulty with the categories of crimes that Mr. Iusi had identified to him that would no longer require bail, which as vehicular homicide, second degree burglary, second degree robbery and with the judges order returning to the scene of a crime. He indicated he felt it was imperative for the Board members to be conscious of what would be occurring as of January 1st with Bail Reform, as he believed the law provided too much leniency in terms of some of the crimes that were excluded from bail. Supervisor McDevitt stated he had attended the Climate Smart Task Force meeting on October 15th which he felt was very informative. He said he believed he would like to take responsibility for the energy audits on the municipal buildings and in particular the Warren County Municipal Center Building. He said he and Mr. Hajos would have a study conducted that covered the entire building to determine what kind of energy loss currently occurred there and whether the County had a reasonable payback in terms of attempting to resolve those particular issues. He informed another matter discussed at the Climate Smart Task Force meeting concerned how Lake George's water temperature had risen by four degrees over the last thirty years which according to Dave Wick, *Executive Director, Lake George Park Commission*, was a statistical abnormality with what had historically occurred. He advised he felt this was something they should closely monitor, as Lake George was important for the livelihood of the County. Supervisor McDevitt apprised the final matter he would like to discuss involved the City of Glens Falls and an ordinance which the Common Council was preparing as it related to demonstrations at Centennial Circle. He stated he felt the ordinance was long overdue in order to address few demonstrations that had occurred over the last few months in the downtown area of the City that tended to be angry and threatening. He questioned what was happening to peaceful assembly at Centennial Circle and what was occurring with free speech and assembly while millions of veterans', himself included, served this Country in order to protect those rights. He pointed out nowhere in the First Amendment did it provide anyone a license to infringe upon the rights of others, nor did it provide anyone with the right to threaten, impede, insult or verbally abuse others. He continued, it also did not permit intimidation or violence against those who may disagree with their views. He mentioned missing from some individuals interpretation of the First Amendment was the phrase "peaceful assembly, because they were creating an environment that frightened mothers and children, as well as inhibited the ability of merchants to earn a living, impeded the flow of foot traffic, hurling profanities at innocent people, as he did not believe this was what was intended by the nations founding fathers. He advised, also included in the First Amendment was the Freedom of the Press and even though individuals may disagree with what the press was reporting, it was the Freedom of the Press that democracy thrived upon. He remarked that he, as a Veteran and a gun owner, felt no one should ever use the threat of gun violence and groups that exercised their First Amendment rights should remember that this applies to everyone. He

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stated it was not a joke to point a toy gun at anyone ever at these type of rallies because it created a hostile environment and he acknowledged the City of Glens Falls Common Council for taking action to modify and control these type of public demonstrations.

Supervisor Braymer advised she would also like to applaud the City of Glens Falls Common Council for taking action and she invited everyone to attend the Public Hearing on the ordinance this Tuesday at 7:20 p.m. She said she thought it would be beneficial to have County residents attend the Public Hearing to express their opinion on what the Common Council should be adopting. Supervisor Braymer reported on the October 1st meeting of the Environmental Concerns & Real Property Tax Services Committee, where they approved proposed Resolution No. 423 which she provided a brief overview of. She apprised she felt all of the Board members were supportive of protecting the County's natural resources, including its water bodies; she added she would like to see the County focus on that and put more effort on its priorities. She said the Environmental Concerns & Real Property Tax Services Committee had been and would continue to do this, as well as the County Administrator, the Department of Public Works, the Director of Real Property Tax Services, the Planning & Community Development Department and the Purchasing Department, but it was not an organized effort and she would like to have more focus on what actions the County took to protect its natural resources. In regard to the possibility of implementing a County-wide septic inspection at transfer law that was discussed at the Committee meeting, Supervisor Braymer advised the Southern Adirondack Realtors Association provided the results of the survey they had conducted of County residents which indicated the residents were fully supportive of this type of law. She said she was working with the staff of the Planning & Community Development Department, as well as the Warren County Soil & Water Conservation District to do more research on how this could work in the County. She called attention to proposed Resolution No. 451, which did not go before the Environmental Concerns & Real Property Tax Services Committee, but was approved by the Finance Committee and concerned the sale of one of the properties that was going to be included in the foreclosure sale to the Town of Chester which she was fully supportive of. She mentioned she had also participated in the Southern Adirondack Realtors Association Trade Show during which a presentation was made regarding the County-wide septic inspection at transfer law and the members voiced their concerns with how it would be implemented and requested that they be involved in the process. She said they also had a presentation concerning short-term rentals during which the County Treasurer voiced the County's perspective to them. She informed in addition she had also attended the presentation by the Adirondack Research Consortium on Climate Change at SUNY Adirondack on October 15th, as well as the Climate Smart Task Force meeting later that day which she believed for their first meeting had made some good initial progress. She stated she had attended the NACo (*National Association of Counties*) Forum in Lake Placid along with Supervisors Hogan and Simpson during which the importance of residents in rural areas participating with the United States Census and she urged the Supervisors, as well as the media to get the word out about how important it was for the County for all the residents to fill out the census data because the results were applicable to the funding received for infrastructure, schools, etc. She added they also received some information regarding the Affordable Housing Strategy for the County's rural areas which she and Supervisor Hogan would be following up on.

Supervisor Loeb stated the Support Services Committee had met on September 23rd, approving proposed Resolution Nos. 432-435 which he requested support on. He commended not only the departments that were overseen by the Support Services Committee, but also all County Departments for their continued efforts and success in providing great service to the residents of Warren County.

Supervisor Driscoll informed the departments that were overseen by the Health, Human & Social Services Committee were busy throughout the year, but more so during the Fall season. He stated he had provided updates regarding the SNAP (*Supplemental Nutrition Assistance Program*) guidelines for

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which approximately 3,700 households received assistance each month in the County. He said the day after Veterans' Day HEAP (*Home Energy Assistance Program*) would be available and the Office for the Aging would be providing outreach in many of the communities in the County; he added individuals would also have the opportunity to apply for assistance through the Program. He encouraged the local municipalities to do everything they could to distribute information regarding the Program to their constituents and more specifically the senior citizens who lived on a fixed income.

Supervisor Frasier thanked Supervisor McDevitt for Chairing the Health, Human & Social Services Committee meeting in her absence. She stated prior to discussing the proposed Resolutions approved by the Committee, it was necessary to withdraw proposed Resolution No. 425 because it was drafted as seeking proposals, but an RFP (*Request for Proposals*) was required.

The necessary motion was made by Supervisor Frasier, seconded by Supervisor Simpson and carried unanimously to withdraw proposed Resolution No. 425, *Authorizing Contract with a Certified Coding and Oasis Vendor to Be Determined to Provide Services Which Will Be Used by the Home Care Agency Within the Health Services Division*.

Returning to the report on the September 30th Health, Human & Social Services Committee meeting, Supervisor Frasier provided a brief overview of Resolution Nos. 424 and 426. She stated that she had attended the October 15th meeting of the Lake Champlain-Lake George Regional Planning Board.

Supervisor Simpson apprised the Public Works Committee had met on October 1st during which they approved proposed Resolution Nos. 427-431 and he provided a brief overview of each. He announced the Trunk or Treat event was scheduled for tomorrow from 5:00 p.m. until 7:00 p.m. at the Up Yonda Educational Center and he encouraged everyone to attend. In the absence of Supervisor Sokol, Supervisor Simpson advised the Finance Committee had approved proposed Resolution Nos. 417-418 and 439-451. Supervisor Simpson offered privilege of the floor to Mike Swan, *County Treasurer*, to provide the monthly update regarding the County's finances.

Mr. Swan stated there was a 3% increase in sales tax revenue collected as compared to the same time frame in 2018. In regard to the AIM (*Aid to Municipalities*) payments, Mr. Swan apprised the impact statement that Mr. Moore distributed indicated that this would not have a substantial financial bearing on the County; however, he noted, he was extremely concerned this was setting a precedent that would allow the State to continue to dip into the County's share of the sales tax revenue going forward which was why he felt it was necessary to dispute this in some manner or form. He informed he would like for proposed Resolution No. 444, *Further Amending the Unassigned Fund Balance Policy for Warren County*, to be tabled and brought back to Committee for further review, as there were a few changes he would like to see made.

Motion was made by Supervisor Braymer, seconded by Supervisor Dickinson and carried unanimously to table proposed Resolution No. 444 and send it back to Committee.

Supervisor Simpson apprised he would like to discuss the meeting in Blue Mountain Lake which he and everyone who participated were grateful that Senators Tedisco and Gounardes took the initiative to come to the Adirondacks and hold a listening session. He stated the need for cell phone and broadband coverage was expressed, as well as discussing some of the recent legislation that was adopted in Albany that had impacted the Counties.

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:

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- * Lori Mosher for 30 years of service to Department of Social Services;
- * Maureen Taylor for 20 years of service to Department of Social Services; and
- * Claudia Mundell for 20 years of service to the County Clerk's Office;

Mr. Moore advised he had five resolutions he would like to discuss, the first of which was proposed Resolution No. 425, *Authorizing Contract with a Certified Coding and Oasis Vendor to Be Determined to Provide Services Which Will Be Used by the Home Care Agency Within the Health Services Division*, which Supervisor Frasier had mentioned during her Committee report and was subsequently withdrawn. He informed the purpose of outsourcing the County's medical coding services related to optimizing the departments reimbursements for the services that they provided while also reducing overtime costs.

In regard to proposed Resolution No. 437, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2019*, Mr. Moore apprised this resolution had been amended following the October 4th Personnel & Higher Education Committee meeting due to the unplanned departure of the 3rd Assistant District Attorney resulting in the 4th, 5th, 6th and 7th Assistant District Attorney's being promoted one step and the 7th Assistant District Attorney would become vacant until the position was filled. He stated the amendment would adjust all of the salaries in accordance with the attorney grid to ensure that all of the positions were paid correctly when they moved into their new positions on Monday.

Mr. Moore informed there was an additional resolution that had been approved by the Finance Committee that was pulled for legal review by the County Attorney. He mentioned the County Treasurer's Office pointed out an inconsistency between the current contract with the Balloon Festival and the creation of a deferred revenue account to deposit the excess revenue to compensate for other years when there were insufficient funds available to cover the County's overtime costs incurred. He said they were working this out with the representatives of the Adirondack Balloon Festival and would bring it back to Committee when it was resolved. He acknowledged Supervisor Magowan for bringing forward the suggestion that an account be created for this purpose.

In regard to proposed Resolution No. 456, *Opposing the Withholding of Local Sales Tax Revenues for the Purpose of Shifting the Cost of State Programs on to Local Governments*, Mr. Moore advised this had previously been mentioned by Supervisor Thomas during his Committee report and had been approved two days ago by the Budget Committee. He said the objective of the proposed Resolution was to oppose the State's withholding of local sales tax revenue for the purpose of that stopping State Aid reductions to the County's towns and the Village of Lake George. He mentioned as noted in the resolution every locality including the City of Glens Falls, whose State Aid payments were still intact, would shoulder the \$224,000 cost of the State Aid reductions to the Towns and the Village. He continued, in addition to taking money away from the County's share in order to finance the County's State Aid payments, this move by the State as indicated by the County Treasurer was also troubling because it set a dangerous precedent where essentially the State was cutting its budget at the expense of the County by dipping into the County's revenue streams. He pointed out the State had been doing this for years on the expense side by pushing the cost of State Programs on to the Counties and now they were doing it on the revenue side, as well. He informed this resolution directed himself, the County Attorney and the County Treasurer to work with other Counties and with NYSAC (*New York State Association of Counties*) to explore whether there was grounds for a legal challenge against the State. He remarked he was positive if this went unchallenged the State would dip into this funding source again.

Mr. Moore apprised there was a resolution before them today that would be coming from the floor

regarding approval of a new Collective Bargaining MOA (*Memorandum of Agreement*) with the PSBA (*Police Supervisors Benevolent Association*) which consisted of two members, both of whom were Lieutenant's in the Sheriff's Department. He stated the term of the MOA was for five years from 2018 until 2022 and it would provide salary adjustments which he reviewed with the Board members. He mentioned both Lieutenant's contribution toward health insurance benefits would increase from 13% to 15% retroactive one year, 17% this December and 18% in December 2020. He continued, language would also be added to the contract which indicated that retirees paid what the active employees paid; he added this language was key for the County because it was what the County's remaining workforce paid. He mentioned there were a few other minor provisions included in the MOA that the Personnel & Higher Education reviewed in executive session and he was requesting that the full Board approve the agreement, as he was confident that this was the best deal they could come to. He advised the PSBA had hired a negotiator on their behalf who had a reputation for negotiating in the opposite direction while also bringing up new issues with no notice and was known across the State for dragging negotiations into interest arbitration. Mr. Moore stated they had gone through two sessions with a neutral mediator, each of which lasted all day, following which the PSBA negotiator "blew it up" at the end of the day. He said following this he had met separately with the two Lieutenants to ensure they were aware the County would not be wasting anymore time in mediation, meaning they would go right into interest arbitration while simultaneously filing an improper practice against the PSBA negotiator. He apprised as a result of this he was able to work out the terms of the MOA with the two Lieutenants that was before the Board today. He apologized for presenting this last minute, but the process was not completed until 9:00 a.m. this morning when the two Lieutenants signed the MOA. He thanked the two Lieutenants for working with the County on the MOA, noting they were assets to the Sheriff's Department. He also acknowledged Larry Paltrowitz, *Special Counsel for the County*, and the other members of the negotiating team for their efforts.

Mr. Moore advised since the September 20th Board Meeting the Budget Team had continued to work on the 2020 Tentative Budget which they were inching closer to finalizing. He stated he was trying to improve upon the process he did to put together the Multi-Year forecast by doing it in conjunction with budget approval process to ensure the Board members had a better context for the decisions they would be making. He stated he continued to work on the transition in the Sheriff's Office which was going well and he commended all of the County Department and staff who had taken time to assist with that. He apprised the former Undersheriff and Secretary to the Sheriff left large shoes to fill, but he believed they were making strides in getting the new team up to speed and he thanked Major James Lafarr for all of his work on that.

Mr. Moore stated on October 10th he was invited to do a presentation for the Adirondack Regional Chamber of Commerce Board of Directors regarding the current sales tax distribution formula. He said their members, like most individuals, were interested in knowing why the current formula was in place and whether it was fair. He said he believed those present at the meeting left with an understanding of the issue; he added he stayed following the conclusion of the presentation to answer any questions anyone had regarding any other topic of interest.

On Tuesday, October 15th, Mr. Moore informed he had participated in a Webinar that was hosted by the NYS DOH pertaining to the Warren County Cancer Incidences Report. He said while the call was comforting, it was also frustrating because the State was unable to identify any obvious causes for the elevated cancer rates in Warren County. He mentioned the State had ruled out environmental factors, such as outdoor and indoor air quality, public drinking water systems, industrial sites, hazardous waste disposal sites and exposure to traffic. He informed there was a possibility the cancer rates were correlated with somewhat sub-standard behavioral measures that were seen in the County like the fact that the County residents tended to smoke and drink more than the average; however, he noted, even those

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measures did not necessarily raise red flags. He pointed out the County was rated No. 21 in the State for health outcomes and No. 10 for health factors according to the Robert Wood Johnson Foundation. He apprised the NYS DOH would be doing a public presentation of their findings on Thursday, November 7th from 7:00 p.m. until 9:00 p.m. at SUNY Adirondack in Adirondack Hall. He added the Board members had all been provided with an executive summary of the study.

Mary Elizabeth Kissane, *County Attorney*, exited the meeting at 10:49 a.m.

Finally, Mr. Moore stated he was hesitant to discuss the last item he wanted to touch on out of respect for this County employees' privacy; however, he noted, a tragedy had been experienced in the County a few weeks ago that brought attention to a policy that would impact the entire State in January. He mentioned Warren County was the first County to experience the unintended consequences of the State's Bail Reform and he believed as public leaders they had a duty to bring attention to those consequences to allow the State to address them. He remarked this was not a political Republican or Democrat issue, but rather a matter of right and wrong.

Mr. Moore apprised the individual who caused this tragedy was arraigned the same day in the County's new Arraignment Court, which he noted, prompt arraignment was something the State was requiring of Counties. He informed the charges the culprit was arraigned on just hours after the crime was committed did not include any violent felonies because they were the only charges the evidence supported at that time. He commended Don Lehman, *Reporter, The Post Star*, for the article he wrote the following day pointing out that if this crime had been committed after December 31st, the defendant would have been able to walk out of the Arraignment Court and gotten into a car, never to be seen again because under Bail Reform, the crimes he was charged with were no longer eligible for cash bail. He said this meant the judge presiding over the arraignment would not be able to send the defendant to jail and he would have to be released on his own recognizance which was unimaginable. He pointed out this individual had a history of committing crimes and not showing up for his court dates, had killed an innocent man and had such callous disregard for human life that he had attempted to ditch his own vehicle and run into the woods. He continued, after he was caught this individual had demeaned the officers and exposed himself to nurses who were caring for him, as well as spitting at reporters and cursing at his arraignment and yet if Bail Reform were in effect he would of had to have been released on his own recognizance.

Mr. Moore reported he was pleased that Jason Carusone, *Warren County District Attorney*, and his staff had gone through all of the evidence and were able to obtain an indictment on a violent felony. He said had they not done this the Defense Attorney would have delayed the case until January 1st when the new law was in effect, meaning the County would not have been able to hold this individual in jail because his charges no longer merited doing so and he would have been released, never to be seen again, with no justice for the family. He informed there were individuals who were currently incarcerated in the County Jail whose legal counsel were working on release applications to allow them to be freed in January. He stated the County would have some decisions to make if these individuals did not show up for their court dates, such as should significant resources be devoted to tracking them down in the State or extraditing them from another State and he questioned whether the victims of their crimes would ever get justice.

Mr. Moore advised he had attended the wake and funeral of the man Warren County lost in this tragedy, as did a number of the Supervisors, during which he looked at the grieving family members and friends and felt a strong sense of obligation to them because the new State laws did not have their best interest on hand. He stated the State law was in favor of the individual who killed their loved one and then expressed his remorse by violating healthcare workers and spitting on reporters. He apprised the

Turcotte family was the first of many families in this County and the State who would be victimized not only by criminals, but also by the new State laws. He thanked those who had already spoken to the State Legislators about these issues and he emphasized how the Board members, as leaders, needed to educate the public about this; he acknowledged Mr. Lehman and *The Post Star*, as well as those who had already started the process. Finally, he informed it was necessary to support the Sheriff's Department and the District Attorney's Office because they were supporting the victims families who were going to need everyone more than ever.

Supervisor Braymer remarked she would like to respond to Mr. Moore's remarks regarding Bail Reform and the impact it would have on this County. Chairman Conover asked her to hold off on making her comments until the portion of the meeting where discussion and public comment on the proposed resolutions took place.

Chairman Conover stated relative to the MOA with the PSBA two actions were required, the first of which was a motion and a second to Waive the Rules of the Board in order to bring this matter to the floor. He added a 2/3 majority vote was required to successfully bring it to the floor; he said if this was achieved then a motion was required to bring the MOA with the PSBA to the floor and it would be dealt with under resolutions.

A motion was made by Supervisor Wild, seconded by Supervisor Dickinson and carried unanimously to Waive the Rules of the Board requiring that a Resolution be presented in writing regarding Ratifying the Terms of the Police Supervisors Benevolent Association Memorandum of Agreement and authorizing the Chairman of the Board to sign the Collective Bargaining Agreement that incorporated the terms of the Memorandum of Agreement.

Chairman Conover called for a motion to ratify the Terms of the Police Supervisors Benevolent Association Memorandum of Agreement and Authorizing the Chairman of the Board to Sign the Collective Bargaining Agreement that Incorporates the Terms of the Memorandum of Agreement. The necessary motion was made by Supervisor Leggett, seconded by Supervisor McDevitt and carried unanimously.

Proceeding to the report from the County Attorney, Mr. Moore stated there was no report today.

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

Reports from:

1. Drescher & Malecki, CPA - Annual Financial Statements and Independent Auditor's Report for the County of Warren for the year ended December 31, 2018 (*emailed to the Board 10/15/19*);
2. Warren County Probation Department - Monthly Report of Criminal and Family Workloads for August 2019

Other:

1. Capital District Regional Off-Track Betting Corporation August payment in the amount of \$5,499;
2. Washington County Resolution No. 191 of 2019, Supporting Adirondack Community College Capital Improvement Plan for 2020-2021.

Ms. Kissane re-entered the meeting at 10:56 a.m.

Mrs. Allen announced proposed Resolution Nos. 417-455 were mailed; she noted proposed Resolution No. 456 was developed after mailing pursuant to action taken at the October 16th Budget Committee

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meeting, and a motion was necessary to bring it to the floor. The necessary motion was made by Supervisor Geraghty, seconded by Supervisor Wild and carried unanimously. She noted the resolution that Waived the Rules of the Board would now be referred to as Resolution No. 457 and the one that ratified the terms of the PSBA MOA would be referred to as Resolution No. 458.

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

Heather Shoudy-Brechko, *City of Glens Falls Resident*, stated she lived on Raymond Avenue in the City which was about a half a block from the new location that Stewart's Corporation was proposing. She said she believed it was premature for them to be taking action on proposed Resolution No. 429, *Authorizing a Revocable Licensing Agreement with Stewart's Corporation to Access the Warren County Bikeway from Their Proposed Store Location on Ridge Road*, since the City of Glens Falls Planning Board had not finalized their review of the exact location of the building and all of the details surrounding it. She requested that they table the proposed Resolution until the City of Glens Falls Planning Board approved the Project.

Supervisor McDevitt thanked Ms. Shoudy-Brechko for her comments and he added that he anticipated the Stewart's Corporation would not be pouring concrete for the Project until June. He suggested the County allow the City of Glens Falls Planning Board to approve the Project before bringing it back before the Board for further discussion.

A motion was made by Supervisor McDevitt, seconded by Supervisor Braymer and carried unanimously to table proposed Resolution No. 429, *Authorizing a Revocable Licensing Agreement with Stewart's Corporation to Access the Warren County Bikeway from Their Proposed Store Location on Ridge Road*.

Supervisor Leggett inquired whether he should request a roll call vote on proposed Resolution No. 451, *Authorizing Sale of Town of Chester Tax Map Parcel No. 104.10-4-5 to the Town of Chester Following the 2019 Warren County Tax Foreclosure Action*, since it involved the Town of Chester and Chairman Conover responded he did not believe there was anything that precluded Supervisor Leggett from voting on the resolution as the supervisor from the Town of Chester, but he would suggest Supervisor Leggett move forward in a fashion he was comfortable with. Supervisor Leggett thanked Chairman Conover for the explanation; however, he noted, in order to err on the side of transparency he would like to request a roll call vote on proposed Resolution No. 451. Chairman Conover pointed out there was no need to request a roll call vote on proposed Resolution No. 451, as it already was one and Supervisor Leggett apologized for causing any confusion.

Chairman Conover offered privilege of the floor to Supervisor Braymer to comment on the impact of Bail Reform that Mr. Moore had discussed during the County Administrator report.

Supervisor Braymer stated she wanted to send her condolences to the family and everyone impacted by the recent tragedy in the County. She informed this was not a political issue, apprising she had discussed the matter with the District Attorney about a week ago during which they reviewed many of the issues that were arising and being highlighted from this tragedy. She said yesterday she had attended a continuing legal education forum that was hosted by the Warren County Bar Association where the District Attorney was the guest speaker. She advised the District Attorney took the time to go through many of the issues with the crimes where the judge had no discretion to set bail. She mentioned that she understood there were Warren County residents who were in jail for non-violent crimes like misdemeanors and would remain there even though they should not because they could not afford to pay their bail and would only receive an appearance ticket when the new law went into

effect which she believed would be beneficial; however, she noted, she took issue when the individual committing the crime was not a resident of the County, let alone the United States, was committing crimes the County had no ability to set bail on. She apprised the other item the District Attorney highlighted was that there would be fewer arraignments meaning the Centralized Arraignment Court that was just created would be handling less arraignments and there would be fewer inmates in the County Jail, but no changes had been made by the NYS DOC (*New York State Department of Corrections*) to the staffing requirements there to account for this reduction. She continued, another thing the District Attorney mentioned was that there would be an inability for the County to use contractors to handle the electronic monitoring meaning without a County Program for this the County could no longer do electronic monitoring which was a significant issue for the Probation Department. She remarked she believed the County should be collaborating with other Counties, as well as NYSAC in an effort to address these issues in a swift manor.

Supervisor Simpson questioned whether this issue could be referred to the Legislative & Rules Committee in an attempt to come up with a resolution that would notify the State Legislators that this law needed to be reviewed because of the impact it was having on the County. Supervisor Braymer interjected that she believed this matter should be discussed at a Criminal Justice & Public Safety Committee meeting since this was the Committee that oversaw the departments that were impacted by this. Supervisor Simpson suggested a joint meeting of the Legislative & Rules and Criminal Justice & Public Safety Committees to discuss the matter and Chairman Conover replied he felt the matter should first be discussed by the Criminal Justice & Public Safety Committee and then could be forwarded on to the Legislative & Rules Committee if it was deemed necessary.

Supervisor Braymer advised it was necessary for the County to work collaboratively with others because the District Attorney's Association had attempted to bring the issues with the law to the State Legislators attention prior to it being adopted through the State Budget process, but the State Legislators who represented the County only had a minimal amount of impact on the State Budgeting process. She said it was necessary to get more mass behind the message the County was trying to get the State Legislator to understand.

Supervisor Leggett informed that Warren County was considered to be mostly rural in New York State and the County's weighted votes in the State Assembly and Senate did not equate to what the Urban Counties had. He remarked what the County had to pay for and had repercussions from was the result of the urban Counties influence on the State Legislator. He said he believed they should join together with all of the other rural Counties in the State to strongly advocate for fairness and some form of division, as this was not a "one size fits all" situation. He informed residents of New York City who remained in jails for several months or even a year before going to court was not an issue for the rural Counties in the State.

Chairman Conover stated he felt the County should also be corresponding with the Intercounty Legislative Committee of the Adirondacks. Supervisor Geraghty apprised he would be bring this matter up for discussion at their next meeting. Chairman Conover informed they would be gathering more support to ensure that the State Legislator was aware that these issues needed to be addressed. Supervisor Leggett thanked Mr. Moore for bringing this matter to fruition today.

Supervisor Beaty informed he and Supervisor McDevitt had attended the wake of the individual who was killed from Warren County which was heartbreaking. He said he was troubled by the fact that the State Legislator was forcing Bail Reform on the County which was viewed as irrational to the average residents of Upstate New York. He added this was not the only action being taken by the State Legislator that was negatively impacting Upstate New York, but it was one of the foremost ones. He

recognized Assemblyman Stec and Senator Little for doing the best they could to draw attention to the problems this new law would cause; however, he noted, they were limited with what they could do because of the significant number of downstate representatives who were pushing their initiatives on Upstate New York. He continued, this issue not only involved safety, but it also had a significant cost associated with it and it was all being done with no regard for the Board members. He applauded Mr. Moore for bringing this to fruition, as well as the efforts of Assemblyman Stec and Senator Little; however, he noted, no action was being taken as a result of these efforts. He remarked he was pleased that the County was going to collaborate with other Counties, as he felt this was a larger issues than they comprehended. He mentioned this was a bi-partisan issue that was putting Warren County citizens in harms way by allowing criminals to be released from jail rather than setting bail that hindered their ability to be freed. He stated he was fully supportive of the matter being taken up by the Criminal Justice & Public Safety Committee to work on collaborating with other Counties as soon as possible and he suggested the other Board members do so, as well.

Supervisor Loeb requested for clarification whether there was a difference on how this new law would impact someone who was considered to be middle class versus a wealthy individual. Chairman Conover asked Supervisor Loeb whether he was inquiring if there would be any type of variance relative to the income of the individual and Mr. Moore replied the income of the individual would not matter next year because there would be no authority to set bail, as the County would be required to release these individuals from the jail. Supervisor Loeb questioned whether this would currently have an impact and Mr. Moore replied affirmatively.

Supervisor Braymer stated she would like to comment on proposed Resolution No. 456, *Opposing the Withholding of Local Sales Tax Revenues for the Purpose of Shifting the Cost of State Programs on to Local Governments*. She apprised the Board had previously authorized a resolution opposing this action and NYSAC was also working on opposing this; however, she said, she felt they should work in collaboration with other Counties to increase the chances of their opposition being heard. Mr. Moore advised he would be forwarding a copy of the proposed Resolution to all of the County Administrators in the State.

In regard to proposed Resolution No. 423, *Resolution Supporting Protection of All Warren County's Water Resources*, Supervisor Leggett advised he and Supervisor Simpson had discussed how water bodies were managed in Warren County, as did the Warren County Soil & Water Conservation District. He mentioned it was difficult for the towns to bare the brunt of the cost of protecting them and he felt there should be a more efficient manner to handle this.

Supervisor Thomas pointed out the figures listed in proposed Resolution No. 456, *Opposing the Withholding of Local Sales Tax Revenues for the Purpose of Shifting the Cost of State Programs on to Local Governments*, were not correct for the Town of Stony Creek. He said during his tenure as Supervisor for the Town, they had always received \$3,668 and not the \$2,778 that was included in the Resolution. Mr. Moore apprised this was the combined effect the Town would lose in sales tax revenue they would have otherwise received directly in addition to the Town's share of the County Tax Levy that was making up for what the County was losing.

In regard to proposed Resolution No. 455, *Appointing Representatives to Adirondack Park Local Government Review Board Due to a Resignation*, Supervisor Braymer acknowledged Supervisor Simpson for his efforts during his tenure representing the County on the Adirondack Park Local Government Review Board, adding., she felt Supervisor Geraghty would do a good job, as well. Supervisor Braymer apprised she would like to highlight that Supervisor Hogan was being considered as a member of the Adirondack Park Agency Board which she believed would be beneficial for Warren County.

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There being no further discussion, Chairman Conover called for a vote on resolutions, following which Resolution Nos. 417-458 were approved, as presented with the exception of proposed Resolution No. 425 which was withdrawn and proposed Resolution Nos. 429 and 444 which were tabled.

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

Jesse Jackson, *President & CEO, Look Media*, stated he was here to discuss a different topic, but wanted to ensure the Supervisors were aware he would assist them in anyway he could with their opposition of Bail Reform by using his platforms, such as their website, television station or social media accounts. He stated in addition to covering meetings, such as this one, when they noticed a topic that may require more discussion they developed a video series on them. He stated they were currently working on one regarding Veterans' issues and reviewing education with WSWHE (*Washington-Saratoga-Warren-Hamilton-Essex*) BOCES and had conducted one over the summer regarding the CVB and their successes. He pointed out he received a number of phone calls thanking him for his video series on the CVB because residents mistakenly believed that it was a drug store. He mentioned the reason he was present today related to tourism and occupancy tax which they would be developing a video series that he would like the Board members to participate in. He said he did not editorialize, nor did he take a position on topics and if the supervisors had a credible position to take then they were a platform that could be used. He informed this particular topic impacted the region in many ways with many strong opinions pertaining to it which was why he would like them to participate in this video series. He mentioned he would be contacting as many individuals as possible within the next month to request that they participate in this interview format video series which was the type of setup their viewers appeared to enjoy the most. He requested that the Board members who had an opinion on the subject matter to contact him to participate in an interview to be included as part of the series and he thanked them for their support of Look Media.

Stephen Baratta, *City of Glens Falls Resident*, stated he would like to comment on the Census Bureau and maximizing participation in every City, Town and Village. He informed a report was just released that indicated a high co-relation between income level and who was most likely to fill out their census form. He advised those with income levels above \$35,000 a year were more likely to fill out the form than those with levels below \$35,000; he noted the lower the income level the less likely it was that these individuals would participate. He apprised that when the County thought about maximizing participation that they consider targeting specific populations to pay attention to some more than others to ensure that everyone was accounted for.

Dr. Jack Leary, *Physician, Glens Falls Hospital*, apprised he was an emergency physician with his board certification in pediatrics and anesthesia. He mentioned he had been the commanding officer for the 364 General Hospital in Albany, New York, which had previously been the largest hospital in the region. He stated he had also been the President of the Medical Staff at Glens Falls Hospital on three different occasions. He apprised he was aware that the County routinely addressed issues with the water systems and County Roads which involved large segments of its population and he was present today to discuss an issue that involved the entire County concerning healthcare. He said healthcare consumed 20% of the Federal Budget, as well as a significant portion of the County Budget for Medicaid, etc. He informed the local healthcare system which was typically managed by insurance companies, NYS DOH, Hospital Associations, etc., but currently the local system was teetering on the brink. He advised Glens Falls Hospital had been the cornerstone for healthcare in the region which was an asset for the entire community; he pointed out the following: it was the first hospital in the State to offer day surgery; the first in the region and the surrounding areas, including the Capital Region, to staff its Emergency Room Department with full-time positions; the first to have the foresight to have dedicated Intensive Care and

Critical Care Units; the Cancer Center was renowned in this area; it was the origin and incubator of Hudson Headwaters in its earliest stages; the school nurse for the Hudson Falls School District established the first and likely only mobile dental van in the region for the Hudson Falls School District in conjunction with the Hospital and the Hospital established a mobile mammography van, both of which did not generate any revenue and were ultimately abandoned as the first casualties of an ever tightening financial environment for the hospital. Since then, he informed many worthwhile services had been abandoned by the Hospital because they were not financially sustainable, the most recent of which was behavioral health services. He continued, several outlying clinics had either closed or had their hours drastically curtailed. He apprised the viability of the Glens Falls Hospital and the direction of healthcare was vitally important to the region and required everyone's active support, including local and regional governments, as well as individuals. He mentioned the need for active collaborations with local governments and the media. He advised the systematic erosion of healthcare resources in New York State was similar to what was occurring with the State and Bail Reform, as the region had gone from a robust healthcare system with many communities having their own small hospitals such as Mary McClellan in the Town of Cambridge, Benedict Memorial in the Town of Ballston Spa, and other ones in the Towns of Granville and Corinth, but now they were only distant memories. He stated Moses Luddington Hospital a.k.a. Adirondack Medical Center lingered on in the Town of Ticonderoga only because it was indirectly supported by the State of Vermont through its affiliation with the University of Vermont Medical Center. He pointed out a pattern existed where first to be sacrificed were the convenient, but unfunded services, then the necessary, but underfunded services, such as mental health were foregone and now critical services like obstetrics and emergency care were on the "chopping block", all the while entire institutions were closing down. He said how this occurred was the bulk of resources had been diverted to downstate which he understood was a bold statement, but he believed they all sensed this when they were discussing to the State forcing the County to change its policy on bail or how they were dipping into the County's share of sales tax revenue. As an examples he pointed out that 85% of the funding awarded to New York State for the tobacco settlement was allocated to New York City with the remainder of the State receiving minimal amounts or there was the fact that the Hospital in the City of Kingston New York received two times the amount of reimbursement for the same procedure as the Glens Falls Hospital and New York City received double the amount of reimbursement as the hospital in the City of Kingston for the same procedure. He said some would argue this was occurring because the cost of living was more downstate then here; however, he noted, he did not believe the cost of living in New York City was four times as much as it was in Upstate New York, it was just that they had the power to legislate the entire system. He apprised for years Albany Medical Center was barely able to operate until it received additional reimbursement as a tertiary center and teaching hospital and now it was a juggernaut. In regard to suggested solutions, Dr. Leary stated first the disparities needed to be documented and then it needed to be brought before the State and Federal representatives such as Congresswoman Stefanik and Senator Schumer. He continued, it was necessary for the public to be called upon to actively support its local hospital with the key being collaboration. He thanked the Board members for their time and apprised he would be available to answer any questions following the conclusion of the meeting.

Supervisor Wild stated Dr. Leary was successful years ago in developing a letter writing campaign to assist the Glens Falls Hospital in obtaining additional funding. He apprised he had also contacted Congresswoman Stefanik where he discussed with one of the staff members what Congresswoman Stefanik was trying to do to assist the hospital through obtaining a waiver which related to the reimbursement rates that required a hospital to be located at least twenty-five miles from the next nearest hospital in order to qualify as a regional center. He explained the waiver was necessary because Glens Falls Hospital was 22.5 miles from the closest hospital meaning unless a waiver was obtained the hospital received a smaller reimbursement rate. He informed the only other option was for the Federal law to be changed which was very unlikely from occurring. He remarked that he was seriously

concerned with the Glens Falls Hospital and its financial situation, as it was a regional entity that supported all of the County residents, as well as the tourism industry. He said he was going to whatever he could to assist them and he was seeking support from the Board members, as well as others in an attempt to raise awareness of how critical the Hospital was to the community and what they could do about getting some of the regulations changed.

Supervisor Driscoll advised he represented a small area which was minuscule to what most of his colleagues on the Board represented; however, he noted the Glens Falls Hospital was located in the area in the City of Glens Falls he represented. He stated he felt compelled to point out the Glens Falls Hospital was the largest employer in the County with the second and third largest employers not employing as many as the hospital even if they combined the number of employees they both had. He said the Hospital was open around the clock every day of the year and their success flowed to all County residents and some communities outside of the County, as well.

Supervisor Beaty informed he had spoken to Congresswomen Stefanik and she had indicated she was working as best she could in an attempt to obtain the waiver for the Glens Falls Hospital to allow the Hospital to obtain a higher rate distribution reimbursement rate which would greatly assist them with their financial issues. He stated he also wanted to mention that election day was about eighteen days away and it behooved all of them to take the time to vote regardless of who they were voting for. He pointed out a new law allowed individuals to commence with voting early from October 26th until November 3rd at the Human Services Building seven days a week meaning there was no excuse for someone to not vote. He stated if individuals did not vote the County became a weaker government and resource for assistance.

Chairman Conover stated that Dr. Leary would be available to answer questions following the conclusion of the meeting.

Supervisor Dickinson apprised he had traveled to the Town of Warrensburg during the weekend of the World's Largest Garage Sale to pick up a prescription and he wanted everyone to be aware of how well handled the traffic was there. He said he was able to pick up his prescription with ease and he commended the organizers of the event, as well as Supervisor Geraghty for managing the traffic so well with such a large crowd.

Supervisor McDevitt stated he often visited the Lake George Dog Park which he was thoroughly impressed with and he commended the Town of Lake George for having one. He added the Town of Johnsbury had also recently opened one in their municipality.

Nathan Hall, Lawyer, *Stafford, Carr & McNally, P.C.*, stated he was present today on behalf of Bobby Brand and the Brand Family Revocable Trust because Mr. Brand, who was elderly, owned two parcels that were currently in tax foreclosure. He said he was present today with funding to pay the past due amount on both parcels in full, both of which had very low assessed values if the Board was willing to remove these properties from the foreclosure auction. He mentioned Mr. Brand owned these two properties, as well as an additional one, all of which were located in the Town of Lake George with the one that was not being foreclosed on by the County being foreclosed on by the lender who had mortgaged the property. He informed the lender attempted to foreclose on the other two parcels as part of the property with a mortgage on it; however, he noted, they had recently withdrawn their motion to include these two parcels. He said the family did not pay the taxes on the other two properties because they were unsure if the lender would be including them in their foreclosure action, as well. He indicated his client would have liked to have paid the taxes before now, but if the Board was willing to remove those properties from the foreclosure auction then he would pay the taxes in full today. He

added his clients had planned on listing the properties with a prospective buyer in mind who would improve the lots and increase the tax base.

Chairman Conover informed the typical procedure was for anyone who owed back taxes to attend the Last Chance Meeting where a repayment plan would have been proposed; he noted there were very specific dates within the law and he asked Mr. Swan if the County had taken title to the property. Mr. Swan responded the County had taken title to the property and he had signed the deed on Tuesday of this week. Mr. Swan stated this was the first he had heard of this circumstance other than a brief phone call to his Office the other day and there was a long procedure in place on how the process was handled. He said he believed Attorney Stafford had been contacted in July regarding the past due taxes, but they received no response. He apprised he and Ms. Kissane had determined there was a deadline to pay the taxes which was a few weeks ago and all the legal work was complete and the deed had been filed.

Chairman Conover inquired what options, if any, did the County have at this stage since the County had already taken title to the property and filed the deed. Ms. Kissane replied if the Board determined they would like to allow this resident to pay their taxes then her Office could file a corrected deed this afternoon and remove those two parcels. Chairman Conover asked whether any bids had been secured on these properties and Ms. Kissane responded the County Foreclosure Auction was not scheduled until tomorrow. Chairman Conover pointed out this meant that a third party had not purchased the property yet and he asked Supervisor Braymer, as Chair of the Environmental Concerns & Real Property Tax Services Committee to weigh in on this matter.

Supervisor Braymer apprised a process was in place to deal with matters such as this with property owners being provided with a number of chances to rectify their situation. She said residents were permitted to get an extension or enter into a payment plan from the County Treasurer's Office at anytime during the summer. She added they had also granted extensions into September for those who could pay in full. She remarked she was opposed to supporting paying off past due taxes the day before the auction, as she understood there were difficulties; however, she noted, they had been accommodating to as many as they could and she did not feel at this point it was an appropriate time to pull a property from the auction.

Ms. Kissane advised she would like to be careful about stating the County had processes because although there was and they were in writing, the County chose to forego those processes on many occasion, such as when the County accepted payments late and how they were also accepted after the Last Chance Meeting. She reiterated they made exceptions all the time for individuals and she believed they would run into issues if they stopped making those exceptions.

Chairman Conover apprised he felt this matter needed to be made part of the agenda in order to continue the discussion regarding same. He stated a motion was required to Waive the Rules of the Board which required a 2/3rd majority vote by the Board in order to move forward. He said if they were able to obtain a 2/3rd majority vote to Waive the Rules then a motion would be required regarding this matter.

He called for a motion to Waive the Rules of the Board requiring that a resolution be presented in writing regarding the removal of two parcels in the Town of Lake George from the Warren County Foreclosure Auction. The necessary motion was made by Supervisor Loeb, seconded by Supervisor Merlino and failed due to obtaining a 2/3rd majority vote, with 665 voting in favor (*Supervisors Dickinson, Merlino, Wild, Beaty, Thomas, Hyde, Geraghty, Diamond, McDevitt, Loeb, Driscoll, Frasier and Conover*) and 165 against (*Supervisors Hogan, Leggett, Braymer and Simpson*) and 170 absent

(Supervisors Strough and Sokol).

Chairman Conover called for a motion to remove two parcels in the Town of Lake George from the Warren County Foreclosure Auction. Mrs. Allen interjected that she had mistakenly thought that 2/3rd majority had been obtained, but 667 was required in order move forward with this matter and only 665 had voted in favor.

Travis Whitehead, *Town of Queensbury Resident*, stated he had attended the inaugural Climate smart Task force meeting earlier this week during which he heard Supervisor McDevitt raise the concern of how the County should be looking at the efficiencies of this building itself. He said following the meeting he had mentioned to Supervisor McDevitt that he had reviewed the efficiencies here in the past because of the program that was in place at that time with Siemens. He advised he took this information and reviewed the EPA *Environmental Protection Agency*) website to determine what these figures meant in terms of greenhouse gas emissions, etc. following which he determined improving the efficiency by ten percent in this building would equate to the purchase of thirty electric vehicles, each one of which traveled ten thousand miles a year. He stated on the one hand he felt the County had a very obtainable goal of a ten percent reduction here that should be looked at, but a cost benefit analysis was required on every decision made by the Board regardless of the subject matter because they should want to use the money the taxpayers entrusted them with more efficiently.

In regard to the October 18th Budget Committee meeting, Mr. Whitehead remarked he would like to commend Supervisor Thomas for the work he did increasing the funding of some reserve accounts that had been neglected for many years with a significant amount of funding being allocated to them from the General Fund Unappropriated Surplus. He said the County Treasurer had mentioned at the meeting that the State Comptroller was suggesting the County keep two months of operating expenses in the General Fund Unappropriated Surplus and although the current balance was not quite enough to cover two months of expenses it was relatively close and appeared the County was moving in the right direction. He mentioned it also appeared these other Reserve funds were underfunded and shining the spotlight on that was a step in the right direction. He pointed out in contrast the Town of Queensbury had about six months of operating expenses in the General Fund for the last few years and had stashed any additional funds outside of the budget process into all of these reserve funds to where they were all overflowing with funds, as well. He stated it was necessary to look at these things which the County was doing and he commended them for it.

Frank Dittrich, *Warren County Lodging Association*, acknowledged Supervisor Merlino for inviting and hosting the STR Inc. representatives to discuss their report, as he found the meeting to be very informative. He said they looked at the lodging industry from a nationwide perspective and how Warren County fit and compared. He apprised the Warren County Lodging Association could request that the smaller properties who did not participate and who were not accounted for in the STR Report to provide them with information, but the assistance of the Treasurer's Office to provide them with contact information for them was required. He stated he typically did not respond because The Inn At Erlowest was a ten suite boutique property and comparatives were difficult to gauge the report. He informed they could reverse engineer the significant amount of data the County Treasurer had regarding how many properties there were, how many rooms they had, how much occupancy tax has been collected, etc. and get good visibility to a certain extent.

With regard to the predictions made by the STR Inc. representatives at the meeting, Mr. Dittrich advised their predictions were based upon supply and demand based on how many properties were located in Warren County. He said what was positive with Warren County relative to surrounding Counties was that Warren County had weathered the introduction of 92,000 rooms at Adirondack Northway Exits 18

and 19 well; however, he noted, there may have been some impact to smaller properties. In terms of spending, Mr. Dittrich stated the County was in a competitive space and percentages were telling when they were converted into real numbers when reviewing 2016 until 2018 Warren County guest spending had grown by \$50.8 million and the remainder of the Adirondack region had increased to \$92.5 million. He said when this was translated into the local sales tax collected which equated to about a 2 to 1 ratio or \$5 million versus \$2.3 million here. He remarked this was not a criticism, as the County was in a competitive space and those sales tax dollars were important to this County, as well as its residents and tourism had a unique opportunity to contribute. He pointed out tourism spending generated more than \$40 million in sales tax as reported by Tourism Economics, which was an industry consultant. He apprised that 24% of County residents earned their living through a direct or indirect link to tourism, such as hotel employees, restaurant employees, food delivery drivers and the warehouses they pick up their products from. As an example, he said deliveries were made in Lake George six times a week in the summer and once a week in the winter. He informed the opportunity here to continue to explore and drive a year-round industry was critical for the County and he wanted to ensure they were aware the Warren County Lodging Association was working with the County to accomplish this together, but since they were in a competitive space speed and working against data were critical. He mentioned a number of the seasonal properties closed until next year following Columbus Day on Monday resulting in about 5% of the residents of this County collecting unemployment. He apprised as they moved toward a year-round tourism industry that was not weather dependent it would provide them with an opportunity to assist with the well being of thousands of people who resided in the County. He thanked the Board members for their efforts, as tourism appeared to be a regular topic of discussion at Board Meetings; he said he was pleased with this since tourism was the No. 2 economic driver in the region and consisted of over one hundred businesses that were tied to the tourism economy.

Supervisor Driscoll stated in yesterday's edition of *The Chronicle* there was a letter to the editor from Bill Kenny, *former Supervisor representing the 5th Ward of the City of Glens Falls*, where he opined that tourism was an eleven week season here in the County. Supervisor Driscoll stated he felt it was a disservice to everyone involved in the tourism industry to imply that the County only had tourism industry during the summer season, as he believed they were moving toward making it a year-round destination with a variety of events and activities.

Supervisor Dickinson advised as a land surveyor he had spent his entire life dealing with individuals and their rights to property and he believed it was a crime for the County to take anybodies property, specifically in the case where they were willing to make the County whole in order to retain their property. He remarked he believed some Board members were using the excuse that they wanted to stick to the procedure in order to take away an individuals property which he was troubled by.

Chairman Conover called for a brief recess to allow him to meet with Supervisors Braymer and Geraghty, as well as Mr. Moore in the County Administrators Office.

The Board recessed from 12:02 p.m. until 12:13 p.m.

Chairman Conover called for announcements.

Supervisor Loeb congratulated all of the candidates who were running for a seat on the Board of Supervisors, as it was a difficult job and he wished them well.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Geraghty and seconded by Supervisor Hogan, Chairman Conover adjourned the Board Meeting at 12:14 p.m.