

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, JULY 17, 2020**



Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed"

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. Frank E. Thomas presiding.

Salute to the flag was led by Supervisor Geraghty.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Simpson, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Seeber, Beaty, Shepler, Geraghty and Thomas- 20; absent- 0

Supervisors Leggett, Diamond, McDevitt, Driscoll, Frasier, Merlino, Wild, Shepler, Simpson, Seeber Geraghty and Thomas were present at the meeting, while Supervisors Conover, Braymer, Bruno, Hogan, Dickinson, Strough, Magowan and Beaty were present via teleconference.

Commencing the Agenda review, Chairman Thomas offered privilege of the floor to Congresswoman Stefanik, who apprised over the next few weeks Congress was working on finalizing a package which she was anticipating would include the direct State and local aid that was so imperative for not only Warren County, but every County across her district. She said in addition Congress would also be focusing on direct aid to school districts which was incredibly important as they worked toward finalizing their reopening plans. She informed she had been working closely with the Superintendents of the School Districts located in the region she served to ensure the safety, as well as the learning opportunities of their students with an understanding that they needed to continue to serve every student, including those with disabilities and special needs, as well, who had been extraordinarily challenged during this crisis. She informed they would also be looking at additional support for the PPP (*Paycheck Protection Program*) that had been imperative for small businesses not only across the District she served, but also across the Country which many local businesses had benefitted from. In regard to the additional \$600 weekly unemployment benefit that was currently being provided and was funded by the Federal Government, she said she believed this additional money was imperative during this pandemic for individuals who were out of work through no fault of their own; however, she noted, as the reopening process was occurring a challenge that was consistent particularly in Warren County with a number of seasonal positions was small businesses having difficulty rehiring employees due to their competition with that additional \$600 benefit. She mentioned currently this additional benefit was set to expire at the end of July, but the Bill that House Speaker Pelosi passed on a bi-partisan basis extended that through January of 2021, but she believed they should either let that benefit expire or phase it out to ensure that the incentive was to get employees to return to work, with one of the

concepts being discussed was providing back to work bonuses. She apprised in addition liability reform was also important not just for businesses, but also not-for-profits and school districts as they were ensuring they were prioritizing public health to protect them from unnecessary lawsuits and costs in the long-term because she felt the local businesses and organizations were putting forth their best effort to invest in their operations to ensure the safety, security and health of their workers, as well as their customers. She stated in terms of the timing which she was aware was important, Congress would be going into session next week and the following week with this possibly extending into the first week in August during which they would review this stimulus package and she would continue to keep County officials up-to-date on the process.

Supervisor Magowan voiced his opposition to extending the additional \$600 unemployment benefit which he had expressed his disapproval of before because he knew it would cause issues getting individuals to return to work as a result of their unemployment benefits being significantly more than what they earned working, as he believed even offering the benefit through the end of July was a mistake. He stated as an alternative he had hoped the Federal Government would make up the difference between the maximum weekly New York State Unemployment benefit payment of \$504 and what they were eligible rather than providing someone who worked part-time substantially more than what they earned when they were working. He said he believed the additional benefit should only be extended for individuals who could not go back to work and offer the alternative he was suggesting to others in an effort to save the Federal Government some money instead of taking away the incentive to get individuals to return to work.

Congresswoman Stefanik advised one of the ideas under consideration was to cap off that additional unemployment incentive to whatever the individuals previous income level was which could end up in negotiations because this would be a bi-partisan bill which had to be adopted by both the House of Representatives and Senate and signed into law. She said what she knew was extending the current additional unemployment benefit was not practical for not only Warren County, but the entire District she served as they were attempting to get individuals back to work.

Chairman Thomas thanked Congresswoman Stefanik for taking the time to address the Board and he wished her well with her efforts over the next few weeks.

Chairman Thomas apprised they would return to Senator Little addressing the Board when she was available. Moving along he offered privilege of the floor to Assemblyman Stec, who apprised he was encouraged by the three week timeframe Congresswoman Stefanik had mentioned for what Congress was working on because a significant amount of what was occurring at the State, local governments and school districts hinged on what was provided by the Federal Government in terms of funding levels. He stated the Governor and his staff had the authority to make cuts to aid for municipalities and for school districts, all of whom had been anxiously waiting since May to be notified what those cuts would be, but no decisions had been made because the State was waiting to see what type of Federal aid would be provided. He stated in regards to the phased reopening process for businesses, Assemblyman Stec informed the State was proceeding into Phases 4A, 4B, 4C, etc. which was frustrating to a number of business owners and had dominated a significant amount of the work in his District's Office. He mentioned this past week they had held a range of Committee meetings in the Assembly in preparation for next weeks session which began on Monday. He advised the majority of what they discussed in Committee meetings this week related to the typical end of session legislation, with nothing out of the ordinary. He stated as far as he knew next week would be the end of the session with the caveat that because of the pandemic and what was occurring as a result of it they could be called back to session at anytime, but this was unlikely to occur unless something of significance arose. He thanked the Supervisors for their hard work over the past few months, as he was well aware they were doing the

best they could considering the circumstances and their constituents were appreciative of these efforts.

Supervisor Simpson recognized Congresswomen Stefanik for securing additional funding for the Glens Falls Hospital which was crucial.

Chairman Thomas noted a motion was necessary to approve the minutes of the June 19th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Frasier, seconded by Supervisor Shepler and carried unanimously.

Continuing to the report by the Chairman of the Board, Chairman Thomas informed recently there had been a spike in the number of active *COVID-19* cases in the County and he encouraged the Board members and residents to remain vigilant in taking the necessary precautions including wearing face masks, continuously washing hands, etc. in an effort to minimize the infection rate as much as possible not only for Warren County, but also the Capital Region, as it would be devastating to local businesses if they had to take a step back. He complimented the Public Health Department for the tremendous job they were doing during this pandemic, especially with the additional work they had taken on as a result of the Governor placing a number of States on a travel advisory list which required them to ensure individuals who had returned from one of those States quarantined for fourteen days. He said this had resulted in a significant amount of work for the Public Health Department's not only here, but across the State with Warren County Public Health currently keeping track of sixty-nine individuals. Chairman Thomas advised he had attended the weekly Economic Recovery Task Force meeting and the following day he attended a meeting of the *COVID-19* Task Force to discuss supplies and the reopening of the County Municipal Center Building to the public and bringing employees back to work which currently most, if not all had returned already. He said he hoped to have the Board Room outfitted appropriately shortly to allow the Supervisors to attend meetings in person again. He stated he had attended the Department Head meeting on June 30th regarding the reopening process and he had participated in the majority of the Capital Region Control Room Conference calls which had taken place everyday, but were now scheduled for Monday, Wednesday and Friday's. He informed he had co-signed a letter with the Chairman of the Washington County Board of Supervisors and Michel Bittel, *President/CEO, Adirondack Regional Chamber of Commerce*, requesting Summer Youth Employment Program funds which had since been released and the Employment & Training Administration was working on getting the program up and running. He apprised as requested he had sent a letter to New York State Senate Majority Leader Stewart-Cousins requesting Dormitory funds and he co-signed a letter composed by the Executive Director of the Adirondack Park Local Government Review Board relating to an incident that occurred in Saranac Lake with some racial epitaphs.

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

Supervisor Geraghty stated the Budget team had met with the Self-Insurance Department, apprising he was pleased to announce there would be reduction in the cost for the County's Worker's Compensation policy which covered all of the towns and departments in Warren County. He mentioned the Budget Team would be busy at the end of July when they began working on the budget; he added he planned on holding a Budget Committee meeting in the near future which he was working on assembling the information for.

Supervisor Conover reported on the June 23rd meeting of the Public Works Committee where they approved proposed Resolution Nos. 237-244 and he provided a brief overview of each.

Supervisor Leggett stated the Public Safety Committee had met on June 22nd and again on July 13th,

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approving proposed Resolution Nos. 236-237 and 255 which he provided brief overviews of. He stated he would be requesting to withdraw proposed Resolution No. 237 at the appropriate time.

Supervisor Diamond indicated he had nothing to report on.

Supervisor McDevitt informed in regard to LDC (*Local Development Corporation*), they had approved a loan for a helmet manufacturer in the Town of Queensbury which would create about nine jobs this year and another nine next year.

Supervisor Braymer reported on the July 13th Environmental Concerns & Real Property Tax Services Last Chance Meeting where they approved extensions for two property owners. She recognized Lexie Delurey, *Director, Real Property Tax Services*, for her efforts over the past few weeks contacting property owners to ensure they were aware that the Last Chance Meeting had been moved from August to July while continuing to also work with property owners to ensure anyone who could be was up to speed. She added the County Treasurer was providing extensions to property owners until the end of July pursuant to the County procedures. She mentioned there was an average amount of properties included in the foreclosure action this year and they were not seeing any excess of properties being placed in the foreclosure. She advised the County Attorney's Office indicated the foreclosure process was on hold which could cause the auction to be pushed back further in the year; she noted she would ensure she kept everyone informed about the court proceeding there.

Supervisor Bruno indicated he had nothing to report on.

Supervisor Driscoll apprised the Human Services Committee had met on June 22nd, approving proposed Resolution Nos. 234-235 which he provided a brief overview of. He stated he would be requesting at the appropriate time to withdraw proposed Resolution No. 235. He advised their next Committee meeting was scheduled for July 20th at 10:45 a.m.

Supervisor Frasier stated the Finance Committee had met on July 1st, approving proposed Resolution Nos. 225-226 and 247-252 and she called attention to proposed Resolution Nos. 251 which authorized construction of a radio communications tower and support facilities in the Town of Stony Creek that was much needed and 252 which approved the tentative operating budget for fiscal year 2020-21 for Adirondack Community College and provided for a public hearing.

She offered privilege of the floor to Mike Swan, *County Treasurer*, to provide an update on the County finances. Mr. Swan apprised both sales and occupancy tax revenues had declined and the State and Federal Governments had begun making cuts. He said it was necessary to keep a watchful eye on the decline in revenue, as well as the cuts that were being made and evaluate everything, as some of the cuts would not have an impact on the County Budget because it was money that would not be spent; however, he noted, these cuts would impact services, such as mental health and would impact those who benefitted from the services that were being cut. He suggested they hold off until September to determine what the impact on their sales tax revenue was and then they could determine whether any austerity cuts to the Budget were necessary or any other actions were required moving toward the end of the year. He stated by that time he hoped they would have a better idea of what the budgeting process would be for the 2021 County Budget.

Supervisor Beaty inquired what cuts the Federal Government had made and Mr. Swan replied he did not have a specific on the cuts they were making because what was occurring was the Federal Government cut some spending to the State and then in turn the State made cuts to the local governments and he was unsure of what those cuts would be.

Supervisor Simpson advised the Personnel & Administration Committee had met on July 1st, approving proposed Resolution Nos. 245-246 and he provided a brief overview of each. He stated the letter each of the Board Members had received from Peggy Stevens, *staff, Countryside Adult Home*, was a testament to Amy McByrne, *Director, Countryside Adult Home*, and the staff of the facility, adding he was thoroughly impressed with the efforts Ms. McByrne had made since she was appointed to the Director position. He said it was heartwarming to receive a letter from an employee that complimented the staff she was working with at the facility; he added he was pleased the County had maintained ownership of Countryside Adult Home.

Supervisor Hogan informed Cornell Cooperative Extension had a difficult month because they were forced to make the tough decision to use a virtual format for the Warren County Youth Fair which was scheduled for the beginning of August and she thanked everyone who supported them as they attempted to determine how to make the event a live in-person one that was safe for all who attended. She said through no fault of their own all fairs across the State had been cancelled resulting in this event becoming a virtual one which she would send everyone a link for when it was occurring, as they were looking at some fun ways to keep the youth engaged. She advised the closing of Skye Farm Camp and Retreat Center referred to by Supervisor Simpson was heartbreaking because over one hundred youth would not have the opportunity to experience their week-long stay there this year. She mentioned on the bright side Skye Farm Camp and Retreat Center had taken this time to work tirelessly on upgrades and improvements to their property, such as building new cabins for next season; she added she was looking forward to continuing that program next year. Supervisor Hogan announced there was a new initiative at Cornell Cooperative Extension referred to as "The Big Red Veggie Shed" where this year instead of donating all of the produce that they grown to local food banks they would be selling some of it to benefit not-for-profits and she encouraged anyone visiting the Warrensburg area to stop by and purchase some vegetables from them. She stated Wild Edibles was also a new initiative they were doing which encompassed a three part zoom presentation and had been extremely popular this year and could be located on their website. She advised there were plans for the 11th Annual Golf Tournament which at this point was still occurring on August 22nd at Cronin's Golf Resort in the Town of Warrensburg and she encouraged all to compile their teams and look forward to a fun afternoon. Next, she said, they were holding a series of cooking parties in real time using Zoom in August, such as salsa making, preparing refrigerated dill pickles and more and she encouraged all to frequently check the Cornell Cooperative Extension website for all of the fun things that were occurring.

Returning to the portion of the Agenda where Senator Little addressed the Board, Chairman Thomas offered privilege of the floor to Senator Little, who began by thanking all of the Board Members for their continued efforts during the pandemic and the information they had provided to County residents. She said she felt this was a stressful time that was getting even more stressful as the pandemic continued on and she was awaiting the day they would wake up and it was over and they could get back to and remain at "the new normal", as there was so much fear with a significant number of businesses being hurt. She pointed out businesses operating at 50% capacity were not making the kind of money they would have if they were able to operate at full capacity. She remarked she believed it was necessary to make it more equitable, as there were cases where a business was allowed to operate, but then a similar type of business was not. She recognized Mr. Moore for his efforts and all of the information he had provided while representing the County on the Control Room. She indicated everyday she had new problems to address with the newest being the requirement that bars and restaurants that served drinks were also required to serve food, as this would put more strain on businesses. She said she was aware that the purpose was to prevent individuals from congregating and hanging around the bar as they were in New York City and other urban areas, but this was not occurring in this region. She stated she was hopeful the region would be able to keep their statistics low. She informed other than that she was pleased to be able to connect with the Board Members and continue to work with them and

accomplish what she needed to before she retired in a little more than five months from now. She indicated she was appreciative of the resolution concerning the cell tower issue that was going before them today, as it had become obvious with so many individuals working from home that internet service was a necessity and was needed throughout the entire North Country with everyone having access to it, just as they did to electricity. She added she believed this would assist with the County's future because what they needed the most more specifically in the northern portion of Warren County and the District was more year-round residents which would increase enrollment in local school districts, more people building houses, paying taxes and contributing to the community and job markets. She pointed out it was likely individuals would prefer living in rural areas, such as here rather than in urbanized regions now that they had the option to work from home. She informed she was pushing for and hoping within the next few months they could get this accomplished; she added the NYS DOT fiber tax was something that needed to be changed and they were talking with internet providers because even if they were able to secure grant funding all of it would go toward paying that NYS DOT tax which was an annual tax. She said they had written letters to the Governor and worked hard to try and locate a voice of reason to understand they would not be able to expand internet and cell tower service unless this could be taken care of. In regard to cell towers, she said she did not mind if they were fake trees because these were now cheaper than when they first began using them; however, she noted, they had to be taller than the existing trees which was all they were requesting. She mentioned currently the cell phone service was not quite as good because tourists were here resulting in the cell towers reaching capacity quicker than they did during the off season.

Supervisor Braymer remarked she was pleased Senator Little was advocating to eliminate the NYS DOT tax on broadband; she added this issue could be something the County could possibly move forward with a resolution on. She stated she was also happy to hear Senator Little discussing adding year-round residents to the region, as she believed this area had a lot to offer and if individuals could work from home and do entrepreneurial type jobs from this region she would certainly welcome that. She mentioned this week she had participated in the Adirondack Common Ground Alliance meeting during which a significant portion of the discussion concerned diversity and ensuring the Adirondacks were more welcoming and inclusive to individuals who were coming from outside of the region to live here. She asked Senator Little if she was aware of any State-wide initiatives to assist with this in this region; she added she was aware they had been dealing with the Racial Injustices to the Adirondacks Diversity Initiative in Saranac Lake. Senator Little responded there was \$250,000 of funding that was allocated from the Environmental Protection Fund which was in its second year of funding. She stated the representative of the Saranac Lake region was handling this initiative for the entire Adirondacks and not just the Saranac Lake area. She informed she believed there was more diversity in this region as a result of those coming from the New York City region and other States, as well as Canada. She said the loss of Canadian tourists due to the border being closed as a result of this pandemic was detrimental to the economy here and the North Country and needed to be watched to ensure it was reopened. In regards to the Environmental Protection funding, Senator Little advised she believed it would continue and she would work with the representative of Saranac Lake to move ahead further than the present status.

Senator Little voiced how pleased she was that Supervisor Hogan had been appointed as a member of the Adirondack Park Agency, as she felt it was imperative for Warren County to have a representative who was aware of what was occurring in the County.

Supervisor Hogan thanked Senator Little for the kind words; she stated today the Board would be voting to support a financial commitment as a member item from a few years ago for the communications tower in the Town of Stony Creek and she asked Senator Little to speak to when this funding would be released. Senator Little responded those grants were awarded when they were in the majority and she had been told they would be honored, but no one had provided a timeframe for this. Senator Little

indicated she had a few of these grants come through recently, but currently nothing was going through because of the pandemic. She mentioned she did not believe the \$750,000,000 of funding for regional economic development that was included in the State Budget would be released for this purpose due to the expenses associated with the pandemic and the uncertainty regarding whether the Federal Government would be providing aid and if so how much. She added she did not believe the \$100 million City/Village funding that the City of Glens Falls, Plattsburg and Saranac Lake had each been awarded last year would be available this year either. She advised she and her staff continued to work with the State Comptroller's Office, as well as making phone calls to try and get the funding for the communications tower in the Town of Stony Creek. She stated she had a few grants where individuals never sent in their paperwork and she would have a hard time getting those, but the one for the communications tower was not one of them; however, she noted, it would be difficult to secure this funding.

Supervisor Little apprised when she originally served on the Board of Supervisors as an At-Large Supervisor for the Town of Queensbury there was only one other Board Member who was a woman and then there were a few terms where she was the only one, but now there were five women serving which she was pleased about. She stated today there were not only qualified candidates who were women, but also several female legislators. Supervisor Braymer thanked Senator Little for paving the way for them, adding there was still more work to be done.

Supervisor Dickinson apprised years ago he had served on the Board of Supervisors with Fran Wallace, whom he felt was an excellent Supervisor representing the Town of Queensbury. Senator Little stated that Ms. Wallace had paved the way for future women, as she was the only female that was a Town Supervisor while she herself was an At-Large Supervisor. She remarked Ms. Wallace had done a great job, working hard on behalf of the Town of Queensbury.

Chairman Thomas thanked Senator Little for taking time out of her busy schedule to provide an update to them on her activities and he wished her well with all of her endeavors.

Returning to the Committee reports, Supervisor Dickinson reported on the July 15th Occupancy Tax Coordination Committee meeting where they approved proposed Resolution Nos. 256-259 which he provided a brief overview of.

Supervisor Merlino stated he had a few comments he would like to make, but he would hold off on making them until the appropriate time. He offered privilege of the floor to Joanne Conley, *Tourism Director*, to provide an update on the activities of the Tourism Department.

Ms. Conley reviewed information regarding the Tourism Department's activities and what they had been spending on for promotion; *a copy of which is on file with the items distributed at the July 17th Board Meeting.*

Supervisor Strough indicated he had nothing to report on.

Supervisor Wild stated the Economic Growth & Development and Higher Education Committee had met on three occasions this month, approving proposed Resolution Nos. 231-232 and 253-254 and he provided a brief overview of each. He said in addition to that the Economic Recovery Task Force had met on a weekly basis since its inception a few months ago. He apprised Ms. Conley was actively participating in this group and had identified some of the things they were working on. He mentioned the focus had shifted slightly away from how to reopen to how to remain open and support local businesses who were trying to recover with the restrictions that had been placed upon them. He

apprised they were fortunate to have Mr. Moore, who he felt was a force to contend with on the Control Room, as a member of their Task Force. He informed they were also dealing with a hiring issue not only in Lake George, but also in the County's manufacturing facilities due to the lack of incentive for individuals to return to work. He stated part of the Task Forces communication efforts were speaking with Congresswomen Stefanik, as well as Senators Schumer and Gillibrand's Offices about this and how the \$600 unemployment stipend had been a detriment to that. He said although this stipend was supposed to end at the end of July, he was unsure this would actually occur, as Congresswomen Stefanik had indicated this morning there were negotiations in process. He apprised he hoped there would be some form of continuation of this stipend because there were regions in the Country who required that type of support, but there may be some benefit of the negotiation that would assist the County in terms of providing some incentive for individuals to return to work which would assist us with the local economy. He stated they had also discussed the J1 and H2 Visa workers and explained to the County's Federal representatives how significant that issue had been for the region because it was a significant part of the local workforce. He advised the County's peek tourism season was only twelve weeks long and the economic impact on the County not having these employees during the summer season was significant. Supervisor Wild mentioned moving forward he would like to expand upon Chairman Thomas's comments regarding not wanting to slip backwards. He said while he concurred the face masks were uncomfortable and he had forgotten his many times before entering a store and had to walk back to his vehicle to retrieve it, they were important to wear because the Control Rooms's were present for the purpose of managing the virus and individuals who were ill. He remarked the County did not want to have a spike in cases that sent the County backwards, as everyone was enjoying the fact that the restaurants were open and a number of other facilities that were open that residents could take advantage of, but if they were not careful some of those privileges could be lost. He stated he would like to make this point as strong as he could to the community to please deal with the inconvenience and support businesses remaining open by wearing a face mask.

Senator Little informed the additional \$600 in unemployment benefits being paid on a weekly basis which caused individuals to not return to work was a significant issue, but there was guidance that was provided which indicated there were three reasons an individual could state that they could not return to work and continue to be eligible to receive unemployment. She apprised the reasons consisted of the following: the individual themselves had a compromising health condition; someone the individual lived with had a compromising health condition, such as a parent, child or spouse; or the workplace was not compliant with the safety issues, such as they viewed three grocery stores taking the necessary precautions, but the one they were supposed to return to work at was not. She added individuals were not permitted to refuse to return to work because they claimed to be afraid of catching the virus because if this was the case the employer had the option to notify unemployment so their benefits would cease. She indicated this did not solve the problem, but she hoped it scared some into returning to work.

Supervisor Wild remarked he was appreciative of Senator Little's help and support on this issue. He stated there was anecdotal evidence that the "Lake George hiring scheme" had drawn an abundant amount of attention not only locally, but throughout the Capital Region with individuals going for interviews, accepting jobs and then not showing up. He advised they were unsure what the issue was, but it was a concern. He informed according to Mr. Bittel the odious currently for reporting violations to unemployment was on businesses, as they were the ones who had to report individuals when they were not following the rules. He apprised that Mr. Bittel suggested putting the odious back on the individual and not necessarily the businesses because it was hard on business owners because they did not have employees to clean the rooms which required them to do it themselves. He said a thought moving forward if there were negotiations and discussions was whatever could be done would be of great assistance, but he also recognized the NYS DOL was still under a significant amount of strain in

having to deal with all of the claims and were working mandatory overtime.

Supervisor Magowan advised the Support Services Committee had not met this month, but he had brought up a few months ago how the additional unemployment benefits were going to cause an issue with getting individuals to return back to work and he thanked Senator Little for staying on top of this issue. He restated that the additional unemployment benefits provided should cease immediately and what should be provided was the Federal Government should make up the difference of what New York State was not going to pay, meaning if an individual was earning \$500 a week at their job and their weekly NYS Unemployment benefit was only going to be \$325 then the Federal Government should pay the difference to bring them to \$500. He said this would prevent individuals from earning three times as much on unemployment then they did when they were working.

Supervisor Seeber reported on the June 22nd meeting of the Criminal Justice Committee where they approved proposed Resolution No. 230 which she provided a brief overview of and she thanked Supervisor Leggett for chairing the meeting for her. She stated on June 26th she had attended a NACo (*National Association of Counties*) Resilient County Standing Committee meeting concerning community strength and race equality and on July 7th she attended the NACo Public Safety and Criminal Justice Standing Committee meeting which dealt mostly with the Justice Act that she had distributed information regarding via email. She said her term had ended serving on those two Committees and she was unsure whether she would be reappointed.

Supervisor Beaty informed the County Facilities Committee had met on June 23rd, approving proposed Resolution Nos. 227-229 and he offered privilege of the floor to Kevin Hajos, *Superintendent of Public Works*, to provide an overview of each. Mr. Hajos stated proposed Resolution Nos. 227 and 228 pertained to awarding the bid for the construction of the new T-Hangar at the Airport and Resolution No. 229 concerned awarding the bid for plumbing construction services for the snow removal equipment building which the previous bid for this work had gotten no responses resulting in it being put back out to bid.

Returning to Supervisor Beaty's Committee report, Supervisor Beaty advised the additional \$600 in unemployment benefits had never made sense since many individuals were making more collecting unemployment then they did when they were working and this was another example of how government made mistakes. He said there were alternatives with the responsibility currently being on the individual businesses to report individuals to the NYS DOL if they decided not to return to work. He stated this also created issues especially when employers did not want to turn in individuals who were good employees, but were squeamish about returning to work. He apprised he felt the responsibility should be on the employee itself along with a back-up from the employer.

Supervisor Shepler indicated she had nothing to report on.

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

- * Lexie Delurey for 25 years of service to Real Property Tax Services; and
- * Courtney Howse for 20 years of service to the Sheriff's Office.

Mr. Moore stated he would like wish Tammie DeLorenzo, *Assistant to the County Administrator*, a happy birthday tomorrow; he commended Ms. DeLorenzo for her all of her hard work and dedication during the past few months while this pandemic was occurring and he thanked her for everything she did.

Mr. Moore apprised they were busy in Health Services this morning as a result of a positive Coronavirus

case that occurred in another County. He explained based on interviews conducted by that County's Public Health Department with the young women who played on a lacrosse team they identified where she had the virus and determined she was contagious when she had played in a series of scrimmages on Sunday, July 12th. He said because this player was a good one she had played on several teams resulting in the potential for significant exposures. He mentioned the lacrosse teams coach had been very cooperative and provided a list of all of the players on these teams that may have been exposed, all of whom were young people who may have attended sleep overs which caused the potential for significant exposure. He stated the good news was the professionals were working on this and were aware of all the names of the individuals who played on these teams and lived in Warren County, all of whom would be tested and interviews would be conducted with them to determine who they had contact with to ensure these individuals were quarantined, as well. He informed this was a substantial amount of work, but it was worth doing and was something the Health Services Department did an exceptional job on. He added he had been impressed with not just their acumen in doing this, but also their willingness to do it around the clock.

Mr. Moore apprised he had also received a significant number of questions concerning what the rules were for weddings which merited bringing it up during this report. He informed currently weddings were subject to the fifty person non-essential gatherings limit and there were guidelines available for church services which were applicable to the ceremony portion. He said in regards to the reception, the State Liquor Authority had posted a question and answer document online which indicated no dancing or stand up cocktail hours were permitted. He advised although this would be difficult to enforce this was what the State was indicating the rules were. He mentioned couples were understandably upset about this and taking their frustrations out on venues who host these; however, he noted, it was important to remember the venues were attempting to protect their businesses and getting married during a pandemic was not a normal experience. He added with or without these pause rules there would still be individuals who would not attend weddings because they were afraid of becoming sick and it was necessary to consider an individual left a wedding that had the Coronavirus. He stated there should be no expectations that if they held a wedding right now it would be normal and these were rules at this point, but he would keep everyone updated on whether those rules changed.

Privilege of the floor was extended to Mary Elizabeth Kissane, *County Attorney*, to provide a report from the County Attorney. Ms. Kissane advised she had nothing to report on.

Supervisor Dickinson asked whether the couple who had refused to quarantine were doing so now and Mr. Moore replied he was unaware of anyone refusing to quarantine, but he could be recalling it wrong.

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

Reports from:

1. Warren County Probation Department - Reports of Criminal and Family Workloads for the months of February - May 2020

Letters/emails from:

1. Town of Queensbury - Resolution No. 232 of 2020, "*Resolution Setting Public Hearing on Proposed Local Law to Reenact and Reestablish Temporary Moratorium on Installation of Ground-Mounted Solar Energy Systems*", and Notice of Public Hearing concerning same.
2. Town of Queensbury - Resolution No. 214 of 2020, "*Resolution Setting Public Hearing on Proposed Local Law to Amend Chapter 179 "Zoning" of Queensbury Town Code to Amend Permitted Uses in the Commercial Light Industrial Zoning District*", and Notice of Public Hearing concerning same.

Other:

1. Capital District Regional Off Track Betting Corp. - 2019 Regular Benefit Distribution Payment #1 in the amount of \$2,101.

Chairman Thomas advised prior to moving along to the reading of resolutions an executive session was required to discuss a personnel matter. Supervisor Leggett asked if anyone should be invited in during the executive session and Chairman Thomas replied he felt first they should discuss the issue and then they could decide whether they would like to invite anyone in.

Motion was made by Mr. Simpson, seconded by Mr. Geraghty and carried unanimously to enter into executive session pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 11:18 a.m. until 12:40 p.m.; Supervisor Diamond exited the meeting during the executive session at 12:23 p.m. and Supervisor Shepler exited the meeting at 12:35 p.m.

Upon reconvening, Chairman Thomas announced no action was taken during the executive session.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 225-252, as well as a Certificate of Appointment were mailed; she apprised proposed Resolution Nos. 253-255 were produced after mailing pursuant to action taken at Committee meetings held on July 13th and a motion and simple majority vote was needed to bring these resolutions to the floor. The necessary motion was made by Supervisor Strough seconded by Supervisor Geraghty and carried unanimously. She noted two Resolutions were produced pursuant to action taken at the July 15th Occupancy Tax Coordination Committee meeting which were labeled as Resolution Nos. 257 and 259 and separate motions to waive the Rules of the Board to bring each of these resolutions to the floor would be required, as the distribution deadline was not met. A motion was made by Supervisor Wild, seconded by Supervisor Frasier and carried unanimously to waive the Rules of the Board and bring proposed Resolution No. 256 to the floor. A motion was made by Supervisor Wild, seconded by Supervisor Dickinson and carried unanimously to Waive the Rules of the Board to bring proposed Resolution No 257 to the floor. Mrs. Allen advised the resolutions Waiving the Rules of the Board were proposed Resolution Nos. 256 and 258 and the resolutions concerning occupancy tax themselves were proposed Resolution Nos. 257 and 259. Ms. Allen mentioned there was also a Floor resolution to be addressed that had met the distribution deadline specified in the Rules of the Board and in order to entertain this item, a motion and a simple majority vote was needed to bring this to the floor. The necessary motion was made by Supervisor Beaty and seconded by Supervisor Seeber to bring the proposed Floor Resolution to the floor. Supervisor Geraghty requested a roll call vote on bringing the proposed Floor Resolution to the floor. Supervisor Dickinson questioned what they were voting on and Mrs. Allen responded the vote concerned bringing a Floor Resolution to the floor. Supervisor Dickinson asked what the Floor Resolution concerned and Mrs. Allen replied the Floor Resolution pertained to appointing a member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation. Following the roll call vote the motion to bring the proposed Floor Resolution to the floor passed with a vote of 562 in favor (*Supervisors McDevitt, Braymer, Bruno, Driscoll, Hogan, Wild, Magowan, Seeber and Beaty*) and 381 against (*Supervisors Geraghty, Conover, Leggett, Frasier, Simpson, Dickinson, Merlino, Strough and Thomas*) and 57 absent (*Supervisors Diamond and Shepler*). Mrs. Allen announced the Floor Resolution would now be referred to proposed Resolution No. 260.

A motion was made by Supervisor Driscoll, seconded by Supervisor Wild and carried unanimously to

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withdraw proposed Resolution No. 235, *Resolution Calling on the State of New York to Release Enhanced Federal Medicaid Matching Funds to Warren County.*

A motion was made by Supervisor Leggett, seconded by Supervisor Wild and carried by majority vote, with Supervisor Merlino voting in opposition, to withdraw proposed Resolution No. 237, *Authorizing Reimbursement to Hadley-Luzerne School District for School Resource Officer Services Paid for but Not Received During Part of the 2020 School Year.*

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

Supervisor Strough requested a roll call vote on proposed Resolution No. 252, *Approving Tentative Operating Budget for Fiscal Year 2020 - 2021 for Adirondack Community College and Providing for Public Hearing*, as he had to recuse himself from the vote because he was a member of the SUNY Adirondack Board of Trustees.

Mr. Moore apprised Supervisor Diamond had asked him to comment on proposed Resolution No. 251, *Amending Resolution No. 58 of 2018, Authorizing Construction of a Radio Communications Tower and Support Facilities Located at the Town Hall in Stony Creek for the Warren County Sheriff's Office, to Add a Contingent Source of Funding to Compensate for a Delay in Funding from the Dormitory Authority of New York State.* He apprised Supervisor Diamond had distributed an alternative to the proposed Resolution prior to the Board Meeting; *a copy of the handout is on file with the items distributed at the July 17th Board Meeting.* He added Supervisor Diamond had not requested a separate roll call vote on proposed Resolution No. 251.

Supervisor Wild stated he would like to discuss the Floor resolution which concerned the appointment of G. Travis Whitehead to the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation. Mrs. Allen interjected that the Floor Resolution was now referred to as proposed Resolution No. 260, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation.* Supervisor Wild advised he was currently a member of and had previously served as a member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation with Mr. Whitehead. He said Mr. Whitehead's appointment was viewed as controversial because Mr. Whitehead was a bit controversial himself; however, he noted, he added significant value to the organization due to him being very knowledgeable even though he tended to rub people the wrong way because of his strong will and not being open. He remarked he was fully supportive of serving with Mr. Whitehead as a member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation again; he added they needed more assistance with this organization as a result of the loss of the sale of property to a company that had proposed moving into Washington County. He stated he felt the more hands on deck to assist this organization to move forward the better off they would be.

Chairman Thomas advised the County Attorney had notified him while he was not permitted to debate Mr. Whitehead's appointment to the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation, it was permissible for him to ask a question. He inquired how many harassment complaints from Warren County employees had to be officially filed before it became an issue and the Board did not condone harassment. Supervisor Wild apologized, as he was unaware that harassment charges had been filed against him. Chairman Thomas interjected that he was not referring to Supervisor Wild, but rather the individual being referred to in proposed Resolution No. 260, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and*

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Civic Development Corporation. Supervisor Seeber remarked she believed it was highly unprofessional to discuss any type of harassment complaints, which she noted she was unaware of, in an open session let alone bring them up. She said she would like to know why this was not brought forward to the Personnel & Administration Committee if this was a concern and they were in fact deemed truthful; she added if they were going to hold a monthly meeting and discuss harassment complaints she was the first one who would like to be notified, as this should be a topic of discussion and she questioned when harassment complaints were ever discussed not only in open session, but before with the full Board. Chairman Thomas responded he was simply asking a question.

A motion was made by Supervisor Simpson and seconded by Supervisor Frasier to enter into executive session to discuss the alleged harassment charges. Supervisor Beaty requested a roll call vote on the motion to enter into executive session and asked what they were entering into one to discuss, as he believed this was convoluted and he asked Chairman Thomas to clarify the reason. Chairman Thomas responded the purpose of the executive session was to discuss harassment complaints against a particular individual that the Board was considering appointing to the Warren and Washington Industrial Development Agency and Civic Development Corporation. Supervisor Beaty inquired whether that specific individual would be permitted to participate in that executive session, similar to how they had allowed Sheriff LaFarr in to the previous one and Chairman Thomas replied in the negative. Supervisor Beaty remarked they would be entering into an executive session based off of here say and Chairman Thomas interjected the Board would like information, as this was not here say. Chairman Thomas called the question and the motion to enter into an executive session pursuant to Section 105 (f) of the Public Officer's Law carried by a vote of 716 in favor (*Supervisors Geraghty, Conover, Leggett, Braymer, Bruno, Driscoll, Frasier, Simpson, Hogan, Dickinson, Merlino, Strough, Wild, Seeber and Thomas*) and 227 against (*Supervisors McDevitt, Magowan and Beaty*) and 57 absent (*Supervisors Diamond and Shepler*).

During the roll call vote Supervisor McDevitt remarked he would be voting in opposition to entering into the executive session since this suddenly had become an issue and this was the first he was being made aware of it. Supervisor Seeber advised she did not believe they should be discussing any harassment complaints during an open session.

Executive session was held from 12:55 p.m. until 1:10 p.m.

Upon reconvening, Supervisor Geraghty requested a roll call vote on proposed Resolution No. 260, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation.*

Supervisor Conover apprised he would like to request at this time a Waiving of the Rules of the Board to allow the Board to entertain a resolution regarding enforcement of the County's Local Law concerning nepotism which he had drafted and could read aloud if the Board needed further clarification as to what they were voting on.

A motion was made by Supervisor Conover, seconded by Supervisor Simpson and carried unanimously to Waive the Rules of the Board requiring that a resolution be provided to the members of the Board of Supervisors on the Tuesday prior to the regular Board Meeting regarding enforcement of the County Local Law pertaining to nepotism.

Supervisor Conover informed the proposed Resolution he was introducing would read something like this: Whereas it has been determined by outside counsel that action taken by the County Sheriff LaFarr was in violation of Local Law No. 6 of 2014. Whereas it is the intent of the Board of Supervisors to

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require compliance with this Local Law. Now therefore be it resolved that the Warren County Board of Supervisors directs County Sheriff LaFarr and all County employees and departments to cease and desist in this appointment in violation of our Local Law. Therefore resolved the Board instructs the County Attorney and such other outside attorney as may be necessary to take such actions as necessary to enforce this Local Law to ensure compliance, including bringing an Article 78 action to ensure compliance with the Local Law. Supervisor Conover remarked he believed a directive should go out in advance of taking the action because they may find that this was sufficient.

A motion was made by Supervisor Conover and seconded by Supervisor Simpson to bring the proposed Floor Resolution to the floor.

Supervisor Braymer asked for clarification that the motion was to bring the proposed Floor Resolution to the floor and Chairman Thomas replied affirmatively. Chairman Thomas called the question and the motion to bring the proposed Floor Resolution to the floor outlined by Supervisor Conover was carried unanimously. Mrs. Allen announced the Waiving of the Rules Resolution would now be referred to as proposed Resolution No. 261 and Resolution concerning the enforcement of nepotism would now be referred to as proposed Resolution No. 262.

Supervisor Dickinson exited the meeting at 1:11 p.m.

Chairman Thomas asked Don Lehman, *Public Relations Manager*, whether any public comments had been made regarding resolutions and Mr. Lehman replied in the negative.

There being no further discussion, Chairman Thomas called for a vote on resolutions, following which Resolution Nos. 225-262 were approved as presented with the exception of Resolution Nos. 235 and 237, which were withdrawn, and Resolution No. 260, which was tabled.

During the roll call votes, Supervisor Beaty asked for clarification that the tentative Operating Budget for Fiscal Year 2020 - 2021 for Adirondack Community College referenced in proposed Resolution No. 252, *Approving Tentative Operating Budget for Fiscal Year 2020 - 2021 for Adirondack Community College and Providing for Public Hearing*, included a 2% increase over the prior years budget and Chairman Thomas replied affirmatively. Supervisor Beaty remarked he would be voting in opposition because he was unsure how they could justify paying more to the College when all of the County Departments and other agencies that received funding from the County were being asked to make cuts to their budgets.

Supervisor Seeber asked as a point of order if she wanted to table proposed Resolution No. 260, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*, whether this was still permitted or was this an action that had to be handled previously and Mr. Moore responded a motion to table was always in order.

A motion was made by Supervisor Seeber, seconded by Supervisor Beaty and carried unanimously to table proposed Resolution No. 260, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*, was carried unanimously.

Mr. Moore asked if Resolution No. 262, *Resolution Directing the County Attorney to Take Action Determined Necessary to Address an Instance of Non-Compliance with the Nepotism Clause Included in Warren County Local Law No. 6 of 2014 Within the Warren County Sheriff's Office, or Any Other Department Where Such Non-Compliance Is Determined*, was addressed in the collective vote and Mrs. Allen replied affirmatively.

Prior to moving on to the public comment from anyone wishing to address the Board on any matter, Chairman Thomas advised he had a Certificate of Appreciation he would like to present to Mr. Kenneth Tingley on behalf of the Warren County Supervisors in recognition of the many stories and reportings he had written on Warren County and its communities during his thirty-two years of employment with *The Post Star* dated July 17, 2020.

Moving along, Chairman Thomas asked Mr. Lehman if there were public comments from anyone wishing to address the Board on any matter.

Mr. Lehman advised there was a technical issue with the public comments causing some of them to disappear from the chat window, but he was unsure why. He stated there was a comment from Kathy Deedee of the *Chronicle* earlier where she recounted the *Chronicle* did highlight the Cornell Cooperative Extension events in their calendar. He stated Gina Mintzer, *Executive Director, Lake George Chamber of Commerce & CVB*, reported that the Lake George Chamber of Commerce had been notified by some business owners that some of them were reluctant to report employees who were not returning to work and were committing unemployment fraud because of possible retaliations. He apprised there were also some comments from Mr. Whitehead indicating a personnel issue he guessed was not an allowed reason for an executive session. He was also questioning how many harassment complaints it took to remove the Chairman of the Board because it took no proof for a judgement to file a complaint and he believed that could be arranged. He informed Mr. Whitehead also noted it took no evidence to file a harassment complaint.

Supervisor Conover stated he wanted to ensure proposed Resolution No. 263, *Resolution Directing the County Attorney to Take Action Determined Necessary to Address an Instance of Non-Compliance with the Nepotism Clause Included in Warren County Local Law No. 6 of 2014 Within the Warren County Sheriff's Office, or Any Other Department Where Such Non-Compliance Is Determined*, was addressed during the collective vote and Mrs. Allen clarified the Resolution he was referring to was Resolution No. 262 which was addressed during the collective vote. Supervisor Conover expressed it was his and the Board's sincere hope that the formal Resolution from this Board would be sufficient direction regarding this matter and Chairman Thomas concurred.

Supervisor Merlino informed the past few weeks had been difficult for the Town of Lake Luzerne and he thanked Congresswomen Stefanik for responding to him on a call he had made to her on an issue. He noted this had no relation what had been discussed earlier, but he wanted to acknowledge Sheriff LaFarr for his assistance on a threat that occurred in the Town of Lake Luzerne regarding a matter concerning an AirBnB issue. In regard to Mr. Moore's response to the complaints regarding individuals refusing to wear face masks in the big box stores, Supervisor Merlino commended him for his efforts, as everyone in Walmart was wearing one yesterday when he was there. He stated he would also like to recognize Brian LaFlure, *Director, Office of Emergency Services/Fire Coordinator*, for working with the towns to provide them with face masks and other supplies they needed during this pandemic. He noted his personal business had taken a \$20,000 loss this week because he would have been fully booked if the Saratoga Race Course was permitting spectators inside of the race track. He stated he felt it was important to point this out so that the Board was aware of how small businesses were being impacted by this pandemic, with a number of them likely having to close as a result of the loss of business.

Supervisor Seeber exited the meeting at 1:28 p.m.

Supervisor Braymer stated she concurred with Supervisor Merlino that Sheriff Lafarr was doing a significant amount of good work; she added she would like to state publicly with respect to proposed

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Resolution No. 262, *Resolution Directing the County Attorney to Take Action Determined Necessary to Address an Instance of Non-Compliance with the Nepotism Clause Included in Warren County Local Law No. 6 of 2014 Within the Warren County Sheriff's Office, or Any Other Department Where Such Non-Compliance Is Determined*, she did respect Sheriff LaFarr and felt he was doing a terrific job, but she had heard from her constituents that they were concerned about him hiring his son and she hoped he would take Resolution No. 262 seriously and consider taking action before the Board had to take formal action. With respect to the appointment to the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation, she urged Chairman Thomas to share with the Board any relevant information to their decisions, specifically with respect to Resolution No. 262 to ensure they were informed on what was occurring to allow them to make an informed decision.

Chairman Thomas called for announcements.

Supervisor Geraghty announced on July 25th the Warrensburg Fire Company was hosting a take out only barbecue where barbecue chicken dinners could be purchased for \$12 and picked up in a drive thru format and he encouraged all to participate.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Wild and seconded by Supervisor Simpson, Chairman Thomas adjourned the Board Meeting at 1:30 p.m.