

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, AUGUST 21, 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 10:00 a.m.

Mr. Frank E. Thomas presiding.

Chairman Thomas asked that everyone remain standing for one minute immediately following the pledge of allegiance for a moment of silence in memoriam of Edward Bartholomew, who had recently passed away.

Salute to the flag was led by Supervisor Conover.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Simpson, Hogan, Dickinson, Wild, Magowan, Seeber, Beaty, Shepler, Geraghty and Thomas- 17; Supervisors Braymer, Merlino and Strough absent- 3

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

Supervisor Braymer entered the meeting at 10:02 a.m.

Commencing the Agenda review, Chairman Thomas offered privilege of the floor to Jacob Miller, who was present on behalf of Congresswoman Stefanik. Mr. Miller stated that Congress had been on recess over the past few weeks, but Congresswoman Stefanik was in Washington D.C. this weekend to work on issues with the United States Post Office.

Supervisor Braymer asked Mr. Miller if he could relay to Congresswoman Stefanik how imperative it was for Federal funding to be provided to the local governments and school districts.

Supervisor Wild advised he felt compelled to note that Congresswoman Stefanik's Office had been fully engaged with the Economic Recovery Task Force on the issues they were working in terms of rebuilding the economy in the County; he added he was appreciative of these efforts and the support they had been able to provide to the Task Force. Mr. Miller informed their office was working on compiling information concerning the new PPP (*Paycheck Protection Program*), as well as some of the legislation that had been proposed that would advance the PPP which he would follow up with the Supervisor Wild on once it was completed.

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Supervisor Beaty advised he had previously mentioned to Congresswoman Stefanik how imperative it was for the funding for local municipalities to be allocated directly to them and not funneled through the State to prevent them from keeping a portion of the funding for themselves. He remarked this was a priority to him and he asked Mr. Miller to reaffirm this with Congresswoman Stefanik for him. Mr. Miller apprised he would pass the message along to Congresswoman Stefanik; he added Congresswoman Stefanik was fully supportive of funding bypassing the State and being allocated directly to the local governments. He informed Congresswoman Stefanik had written a letter to Governor Cuomo in June indicating she would like funding to be distributed directly to the local governments because upon occasion a portion of the funds that were funneled through the State to the local governments remained with the State.

Chairman Thomas welcomed Mr. Miller to the Board Meeting and he thanked him for the information.

Proceeding with the Agenda review, Chairman Thomas informed neither Senator Little or Assemblyman Stec were present; he noted a motion was necessary to approve the minutes of the July 17th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Geraghty, seconded by Supervisor Simpson and carried unanimously.

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

Proceeding with the Agenda review, Chairman Thomas declared the Public Hearing on the proposed Tentative Budget for Adirondack Community College (*SUNY Adirondack*) for Fiscal Year 2020-21 open at 10:08 a.m. and he requested the Clerk of the Board to read the Notice of Public Hearing aloud. Following the reading of the Notice of Public Hearing by Amanda Allen, *Clerk of the Board*, she noted she had not received any comments from the public. Chairman Thomas asked Don Lehman, *Director of Public Affairs*, whether any public comments had been made and Mr. Lehman replied in the negative. Chairman Thomas stated he would leave the public hearing open while they proceeded with the Agenda review to allow time for individuals to comment.

Continuing to the report by the Chairman of the Board, Chairman Thomas stated he had attended the Lake Champlain-Lake George Regional Planning Board meeting held via Zoom on July 21st; he noted a special meeting would be held in the coming weeks to accept CARES (*Coronavirus Aid Relief and Economic Security*) Act funding in the amount of \$3 million for the purpose of establishing a new loan fund. He informed he had attended the InterCounty Legislative Committee of the Adirondacks meeting on July 23rd where they toured the Betterbee business in the Town of Greenwich where they manufactured supplies for beekeepers, as well as produced some honey. Chairman Thomas advised on July 29th he had attended the Adirondack Local Government Review Board meeting with Supervisor Geraghty in Long Lake, New York and on July 30th he attended the Personnel & Administration meeting, as well as a portion of the Economic Recovery Task Force meeting. He apprised yesterday he had attended the Public Works Committee meeting where the draft of the Solid Waste Management Plan was discussed where a number of respectable ideas were discussed. He mentioned he had written a letter to Governor Cuomo regarding the fiber optics fee charged to the providers for lines that were within NYS DOT (*New York State Department of Transportation*) right-of-way as requested.

Chairman Thomas once again inquired with Mr. Lehman if any public comments had been made on the proposed Tentative Budget for Adirondack Community College (*SUNY Adirondack*) for Fiscal Year 2020-21 and Mr. Lehman replied in the negative. Chairman Thomas asked whether any members of the Board would like to comment; there being no response he closed the public hearing at 10:13 a.m.

Returning to the portion of the Agenda where Assemblyman Stec addressed the Board, Chairman

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Thomas offered privilege of the floor to Assemblyman Stec, who thanked the Board for providing him with the opportunity to address them. He stated he believed the most significant news regarding the pandemic concerned the recent surge of cases in a nursing home located in Essex County. He said it was important for everyone to realize the Coronavirus was still an issue and that all the necessary precautions were being adhered to which he believed Warren County was doing well, advocating that these precautions were taken by its residents and those who were visiting the region. He informed the State Assembly had not been out of session for a few weeks now, as they were in a holding pattern until the Federal Government resolved their negotiations and adopted a Bill regarding not only the State's financial issues, but also the entire Country. He said once they were aware of what they could anticipate in terms of financial assistance from the Federal Government they could reconvene and take action; however, he noted, in the meantime school districts and municipalities had been notified to prepare for a 20% cut in their State aid which was a substantial concern more so for school districts who were attempting to prepare to resume instruction and all of the challenges that were associated with that. He stated he had been working with the NYS DEC (*New York State Department of Environmental Conservation*) on three constitutional amendments that had been requested by Supervisors whose municipalities resided within the Adirondack Park in Franklin, Hamilton and Essex Counties; he commended the Adirondack Park Local Government Review Board and the Adirondack Association of Towns & Villages for their efforts on these constitutional amendments, as well. He said he was unsure of the likelihood of these amendments being adopted this year, but he would do his best to get them moved forward. Assemblyman Stec concluded by voicing his appreciation of the work the County and all of the municipalities had been doing this summer in an attempt to recover the economy, while also ensuring the infection rate remained low and the residents remained healthy.

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

Supervisor Conover reported on the July 21st meeting of the Public Works Committee where they approved proposed Resolution Nos. 281-288 and he provided a brief overview of each. He apprised he had attended a meeting with the Budget Team regarding the proposed DPW Budget for 2021, as well as the Public Works Committee meeting regarding the draft Warren County Solid Waste Management Plan for 2020-2027 which he believed it would take time for the process due to how involved it was and the number of public comments they had received.

Supervisor Leggett stated the Public Safety Committee had met on July 20th, approving proposed Resolution Nos. 278-279 which he provided brief overviews of. He advised he had also attended meetings of the WWIDA & CDC (*Warren-Washington Counties Industrial Development Agency & Civic Development Corporation*) where the most significant issues concerned commercial solar energy in Washington County and extending a pilot to them which the WWIDA & CDC had adopted a resolution on a few years ago to not move forward with any solar pilots and were continuing to do so. He mentioned he had also attended a budget meeting regarding the Warren County Soil & Water Conservation District which was holding steady and would be presented to the County next month. He stated he had also attended the meeting of the Economic Recovery Task Force that was held in the Town of Johnsbury yesterday that was hosted by Supervisor Hogan. He concluded his report by noting the construction of the storage building on the municipal center campus for the Office of Emergency Services was almost completed.

Supervisor Diamond indicated he had nothing to report on.

Supervisor McDevitt informed he learned last week that the County DPW was responsible for certain areas of the Warren County Bike Trail, one of which was being staked for a flower garden which would

not only beautify the area, but also provide pollination and he commended the DPW staff for the good work they were doing.

Supervisor Braymer apprised the Environmental Concerns & Real Property Tax Services had not met since the Last Chance meeting on July 13th; however, she noted, there was a meeting scheduled for August 25th where one of the items to be discussed was a Septic Inspection at Transfer Law for the County. Supervisor Braymer reported on the NYSAC (*New York State Association of Counties*) Resolutions Standing Committee earlier this month; she stated NYSAC would be holding their Fall Conference virtually this year that she thought they would be receiving information on via email shortly.

Supervisor Bruno apprised he had attended several Committee meetings over the past month, with the meeting yesterday regarding the draft Warren County Solid Waste Management Plan being the only one he would like to comment on. He commended Kevin Hajos, *Superintendent of Public Works*, for doing a good job presenting the plan and keeping an open mind to consider all of the suggestions that were made.

Supervisor Driscoll apprised the Human Services Committee had met on July 20th, where no resolutions were approved. He informed a few days prior to every Board Meeting he did his best to distribute an update from the Department of Social Services regarding their activities to the Committee members. In regard to the draft Warren County Solid Waste Management Plan, Supervisor Driscoll indicated he had made some comments himself. He said he felt the Zero Waste Committee, whom he had met with, had offered some valuable recommendations; he added he was pleased Mr. Hajos had expressed an interest in continuing the discussions with this group to allow the County to foster a relationship based on communication, cooperation and hopefully in the near future collaboration on solid waste related matters.

Supervisor Frasier stated prior to her reporting on the July 30th Finance Committee meeting, she would like to request that proposed Resolution No. 297, *Amending Resolution No. 213 of 2020, Authorizing Rental Rate for the West Brook Parking Lot, to Provide for an Additional Reduction for 8-10 Days in August and on Labor Day*, be withdrawn because the events had been cancelled. A motion was made by Supervisor Frasier, seconded by Supervisor Wild and carried unanimously to withdraw proposed Resolution No. 297.

Supervisor Frasier continued to her Committee report, advising the Finance Committee had met on July 30th, approving proposed Resolution Nos. 263-264 and 293-296 and 298. She called attention to proposed Resolution No. 294, *Approving the Lake Champlain-Lake George Regional Planning Board 2021 Budget*, which she was requesting support of. She offered privilege of the floor to Mike Swan, *County Treasurer*, to provide an update on the County finances.

Mr. Swan apprised he believed everyone was aware that the State had indicated they were going to shave off 20% of the State aid which in the case of the County would amount to \$3.7 million. He reviewed the decline in revenue thus far as follows:

- 1) Interest Income was currently behind \$60,000;
- 2) loss of funding from the land auction due to the State not permitting any filings to be done which equated to a \$250,000 loss;
- 3) tribal money which derived from the casinos equated to a loss of \$420,000 since nothing had been received since the 3rd quarter of 2019;
- 4) loss of about \$120,000 due to no revenue being received from the Compensating Care Act which pertained to legal marijuana;

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- 5) currently a loss of \$1 million in sales tax revenue;
- 6) mortgage tax was behind around \$309,000;
- 7) County Clerk fees were \$133,000 below what was budgeted;
- 8) auto use tax was behind around \$40,000; and
- 9) loss of \$33,900 due to the Airport restaurant being closed;

Mr. Swan informed the total loss in revenue equated to about \$6 million; however, he noted, the County was only behind about \$500,000 due to the funding that was allocated from the account for vacation accrual payouts in the amount of \$2.1 million and the funds within the austerity budget that Ryan Moore, *County Administrator*, had been working on equaling \$3.5 million. He stated this was do to the County being in good financial standing, but he was unsure whether that status would change in 2021.

In regard to Social Services, Mr. Swan apprised the County had not received any settlement payments from the State for the months of May and June. He said what the settlements consisted of was the County submitting a claim and the State would reimburse the County. He apprised in 2019 during the months of May and June the settlement payments equated to \$2.7 million. He advised the State had notified the County that the monthly settlements were being held until they underwent an enhanced review process, but they would not provide a date of when this process would be completed. He said over the past few months the County had received about \$140,000 in settlement payments, adding currently the County had taken a hit on its cash flow to the tune of \$2.5 million, all of which had to be made up. He stated this was a serious concern for him because the County was putting money out that had been received. He mentioned his Office was working hard to get every short-term rental property in the County registered with them by the end of the year.

Supervisor Magowan inquired whether the State would be cutting the settlement payments to the County by 20%, as well and Mr. Swan responded he did not believe these payments would be cut, but he could not be sure of this.

Mr. Swan advised he felt compelled to remind the Board Members before the pandemic had begun the Governor had put through in the State Budget that they would be taking additional monies from the local sales tax revenue to assist with funding New York City Hospitals. He mentioned that withdraw would begin in January of 2021 with the loss in revenue to the County equaling \$355,000; he added these withdrawals would occur on a quarterly basis.

In response to a question by Supervisor Geraghty regarding occupancy tax, Mr. Swan replied he was working with the County Attorney's Office regarding occupancy tax collections; however, he noted, because it had the potential to end up in litigation he was being asked not to go into detail. Supervisor Braymer requested that Mr. Swan provide an overview of what a short-term rental was and the process they were required to follow. Mr. Swan explained the Board had changed the local law regarding this in 2018 to require short-term rental properties which was defined as any property that was rented for less than thirty days must collect occupancy tax. He stated the easiest way to learn how to register a property was to go online to the Warren County website and click on Treasurer's Office under departments and all of the information regarding the registration process was there.

Supervisor Wild inquired what the status of occupancy tax collection was because the feedback he had received was the properties located directly on Lake George were having a banner year, but those located off of the water were struggling. Mr. Swan replied he could not surmise what was occurring this summer because he would not receive the occupancy tax collected during the summer months until September, as most of their major contributors were quarterly filers. He indicated he believed they would not be able to recoup what they had lost in the Spring, but he believed the amount collected

would be favorable.

Supervisor Simpson advised the Personnel & Administration Committee had met on July 30th, approving proposed Resolution Nos. 289-292 and he provided a brief overview of each. He requested to withdraw proposed Resolution No. 291, *Authorizing a Lease Agreement with 333 Glen Street Associates, LLC for Use of Space at 333 Glen Street for the Public Defender's Office*, due to the new details that had come to light regarding the lease which would require it to go back before the Committee. A motion was made by Supervisor Simpson, seconded by Supervisor Seeber and carried unanimously to withdraw proposed Resolution No. 291. In regard to the Director position for the Office of Emergency Services, Supervisor Simpson stated they had two candidates prior to the beginning of the pandemic and then three additional applications were received that the Personnel Officer needed to review to ensure they met the minimum qualifications for the position. In regard to the Salt Reduction Task Force Legislation, Supervisor Simpson remarked he hoped this legislation would be adopted and signed by the Governor. He said he believed local County and Town Superintendent of Highways should be members of the Salt Reduction Task Force because the success the County had with its battle on invasive species and salt reduction on County roads was linked to local government and the ability for them to collaborate with all interested parties on these issues.

Supervisor Hogan stated prior to reporting on the activities of Cornell Cooperative Extension she would like to thank the members of the Economic Development Recovery Task Force for taking the time out of their busy lives to go to the Town of Johnsbury and take the time to listen to the issues the northern portion of the County was dealing with. She said everyone was appreciative of the Task Force members willingness to be there and listen to the issues. Supervisor Hogan informed with a great deal of creativity the Cornell Cooperative Extension had conducted their annual Youth Fair earlier this month which was held in a virtual format. She mentioned thirteen youth had the opportunity to display forty-seven projects and a charming video was produced which not only highlighted the youths projects, but also their talents and she encouraged all to take the time to view the Youtube video. Supervisor Hogan announced the annual Cornell Cooperative Extension Gold Tournament was being held tomorrow with all of the slots filled; she encouraged anyone interested in donating and not golfing to feel free to do so. She stated the Cornell Cooperative Extension staff had been busy producing videos on cooking and gardening with produce for sale on sight.

Supervisor Dickinson apprised he had received a significant amount of emails regarding occupancy tax with a number of different questions and he encouraged all to attend the Occupancy Tax Coordination Committee meeting on August 31st where the status of occupancy tax would be discussed, as well as how they would like to move forward with it.

Supervisor Merlino informed the Smith Travel report indicated for the months of March, April and May when the pandemic had just begun the demand for hotel rooms had decreased while short-term rentals increased. He said during the month of April the Smith Travel Report indicated occupancy was down about 60%, in May it was down by 61% and in July and August there were signs of improvement as the summer progressed with July down around 26% and 17% in August. Supervisor Merlino voiced his pleasure that the County was moving forward with collecting occupancy tax on short-term rentals, as this would provide a decent revenue stream through the end of the year. He mentioned on Monday the full Board would receive a spreadsheet from the Tourism Department which included figures detailing how the department had reacted over the past six months and he encouraged anyone with questions to contact Joanne Conley, *Director of Tourism*.

Supervisor Wild stated the Economic Growth & Development and Higher Education Committee had met on two occasions this month, approving proposed Resolution Nos. 269 and 299-300 and he provided

a brief overview of each. He voiced the importance of the Census which provided the County with funding from the Federal Government for many of the social services programs, as well as grant funding for other areas; he added these funds were all distributed based on the results of the Census. He stated enumerators had been visiting homes that had not responded to the survey in an attempt to get that household counted, as it was imperative for this information to be as accurate as possible. He advised he had missed the moment of silence for Mr. Bartholomew at the beginning of the meeting and he would like to take a moment to say a few words regarding him. He apprised Mr. Bartholomew was a great advocate and resource for the County; he said Mr. Bartholomew had been a significant contributor to the Economic Recovery Task Force and he would be greatly missed. Supervisor Wild informed Jim Siplon, *interim President of the Economic Development Corporation*, had been instrumental in bringing Just Water to the region and had hit the ground running as the interim President. He stated Mr. Siplon was extremely capable with a background in both large and small businesses in industries that could assist the County in scoring some opportunities. He mentioned part of Mr. Siplon's experience was in telecommunications and he suggested that the towns and hamlets involved in negotiations with Spectrum for internet and cable services hold off on these negotiations and join as a group to get the contract leverage not only for cable, but also to assist with driving more coverage for broadband in the northern region of the County. He stated the Economic Recovery Task Force met weekly and consisted of a dynamic group of volunteers; he added he was pleased to be a part of this group and all of their accomplishments and continue to do, such as coordinating efforts for advertising fall and winter tourism in the region. He said they were also looking at metrics as a way to measure the money spent on advertising tourism and whether they were getting the best bang for their buck on the money they were spending. Supervisor Wild informed another need that was expressed at the meeting in the Town of Johnsbury was for wastewater treatment in the northern portion of the County which the task force would work on along with broadband coverage in terms of assisting with the economic growth for that area. He stated earlier this week when he was in a Stewarts store he had witnessed an individual come in and pulling his shirt up over his face to use as a face mask. He continued, in response to this an employee of Stewarts notified this individual they were not permitted to sell them anything unless they were wearing a face mask; a debate ensued between the two of them regarding why this individual's shirt did not suffice as a face mask at the conclusion of which the individual pulled a face mask out of his pocket and put it on. Supervisor Wild stated this supported the fact that Stewarts and many other businesses in the County were doing their best to maintain compliance with the face mask requirement. He added he also thought this was a good example of how to handle situations such as this one in an appropriate manner. He stated one of the purposes of the Task Force was attempting to fill vacant positions which the \$600 stipend previously provided by the Federal Government had hindered, but this benefit had expired and was no longer offered. He said the Director of the Employment & Training Administration had been taking the time to meet with a number of local businesses to discuss the positions they had open. He said his point was there were positions available for those seeking employment within the County and he suggested anyone interested should contact the Employment & Training Administration, NYS DOL (*New York State Department of Labor*) to discuss the many opportunities that were available. He added face masks were important not only to keep the public and the visitors to the region safe, but also employers and their staff.

Supervisor Magowan thanked Supervisor Wild for telling the story regarding face masks; he added he was pleased to see how people all seemed to be wearing them when he was shopping at the local stores. He advised the Support Services Committee had met on July 20th, approving proposed Resolution No. 280 which he provided a brief overview of. He encouraged the Board Members who were not present in person today to attend the next Board Meeting, as the room had been altered to make it safer for the Supervisors to attend meetings in person. He remarked the way the room was outfitted was quite comfortable and made him feel safe.

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Supervisor Seeber reported on the July 20th meeting of the Criminal Justice Committee where they approved proposed Resolution Nos. 270-275 and she called attention to Resolution No. 271, *Ratifying the Actions of the Chairman of the Board Regarding Execution of a Continuation of Memorandum of Understanding Between the Warren County Probation Department and the Warren County Employment & Training Administration for Raise the Age Employment and Training Program*, which was amended following the Committee meeting to correct a date and in the interest of full transparency she wanted to ensure they were aware the Committee had voted on a resolution that would have entered into an agreement on September 1st that was now entered into retroactively on June 1st due to a voucher being submitted that they were not previously aware of. She encouraged anyone with questions to contact Mr. Moore or Bob Iusi, *Director of Probation*. In regard to the proposed resolution that had to be withdrawn, Supervisor Seeber thanked the County Attorney's office for reviewing a potential contract for a lease agreement with 333 Glen Street that had too many areas of concern to continue to bring it before the Board. She said the request would go back before the Criminal Justice Committee for an update on Monday for discussion, as the County Attorney's Office took time to review it and identify where there were issues; she thanked the County Attorney's Office for their hard work regarding the matter. Supervisor Seeber mentioned she had attended a Warren-Washington Task Force Meeting for Criminal Justice on August 6th and on August 4th she and Supervisor Simpson had attended the NYSAC Criminal Justice Standing Committee which they were both members of. She informed NYSAC had approved a resolution concerning the need for a comprehensive EMS and Volunteer Firefighter bill package which was forwarded on to the Resolution Standing Committee which Supervisor Braymer was the Chair of. She stated they were also requesting another resolution from all of the Counties which she would ask NYSAC to distribute to Mrs. Allen for consideration from the full Board. She apprised on July 31st she had attended the Resilient Counties NACo (*National Association of Counties*) Standing Committee meeting, informing she was pleased to note she was reappointed to Resilient Counties for the next term, as well as being selected as a sub-chair for the Criminal Justice & Public Safety Standing Committee. She said she would be providing information regarding their best practices as was relevant to the County, Committees and Supervisors, as well.

Supervisor Beaty thanked Mr. Hajos for doing a phenomenal job on the tentative 2021 DPW Budget; he added during difficult times it demonstrated the value of the County staff which he was pleased with the quality of staff at the County. He stated Mr. Bartholomew was a close family friend of his who he believed was an asset to the County who was underappreciated at times even with the overwhelming support he received in the local paper. He apprised Mr. Bartholomew was not only a true leader, but more importantly he was able to bring differing sides together to develop the most appropriate solution which he believed was Mr. Bartholomew's best quality and he would be greatly missed. He stated he had contacted the Town of Queensbury regarding the possibility of them using the County's low boy tractor trailer rather than having them purchase one following his discussions with Mr. Hajos. He stated it was important for the County and town's to explore sharing more equipment as an avenue to save money and he suggested they make a concerted effort to utilize all of the County and towns's equipment by sharing it amongst one another resulting in a savings for the taxpayers. Supervisor Beaty informed the County Facilities Committee had met on July 21st, approving proposed Resolution Nos. 265-268 which were self explanatory. He restated his gratitude to Mr. Hajos for putting together a tight budget.

Supervisor Shepler indicated she had nothing to report on.

Supervisor Geraghty apprised the Budget Team had met with eight departments regarding their tentative 2021 budget requests, all of which were productive meetings. He thanked the Purchasing Department for distributing a notification regarding the change between W.B. Mason and Staples on the pricing of some of the office materials; he added their department did a stellar job ensuring everyone was getting the best deals for the items they purchased.

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:

- * Ed Affinito 25 years of service to Sheriff's Office; and
- * Mr. Swan for 30 years of service to the County.

Mr. Moore apprised that Mr. Swan managed his office well and the fact that the County had a better financial standing than most other Counties was a testament to the job they did managing the County finance and would assist them with persevering through this unanticipated economic downturn as a result of the pandemic.

Mr. Moore stated an executive session was required later in the meeting to discuss a change in the County's mail operator and a contract that was bound under a non-disclosure agreement. He stated there were two proposed resolutions relating to this change which would be distributed to the Board during the executive session when they discussed details about the change.

Mr. Moore advised the next matter he would like to discuss involved the issue of the week which concerned gyms reopening. He stated on Monday Governor Cuomo announced that gyms could reopen this coming Monday, August 24th unless the Chief Executive Official, which was defined as both the Chairman of the Board and the County Administrator, wanted to delay that reopening. He informed he and Chairman Thomas both agreed that they would not want to postpone the reopening of those gyms any longer than the Governor had indicated they needed to be postponed. He mentioned what needed to occur within fourteen days of these gyms reopening was for the County to inspect them. He said they could not pinpoint how many gyms were located in the County because the classification was broadly written and was applicable to homeowner associations that had a gym located on their property, hotels with workout rooms, etc. He apprised he believed there would be hundreds of gyms that needed to be inspected, but there may be some locations that opt out because one of the requirements that the State has was that staff had to be present to ensure the COVID-19 guidelines were being followed and many locations, such as hotel gyms were not set up that way. He informed the State guidelines were available for review on the New York Forward website or just by going to the Warren County Facebook and Twitter accounts where some press statements regarding this had been released; he encouraged anyone with questions to contact his office for assistance. Mr. Moore advised the difficulty was to complete these inspections within the fourteen day timeframe the State indicated they had to be completed. He informed most larger Counties Public Health Departments handled environmental health which meant they were charged with doing restaurant inspections, campsite inspections, etc. using their staff that were trained to be inspectors; however, he noted, the smaller Counties like Warren, Washington, Essex and Saratoga Counties did not handle those inspections because the NYS DOH (*New York State Department of Health*) took care of those environmental health issues for them. He noted he had requested that the NYS DOH handle these inspections for the County, but the request was denied and although the local NYS DOH District office sympathized with him they indicated they would not be able to assist the County unless a decision was made at the higher level to provide the county with assistance. He advised he was also going to be discussing his request from to the State with the Control Room at their meeting this afternoon; he added if the State would not provide assistance to the County then he planned on submitting a request for reimbursement for the time County employees spent essentially handling a State inspection function, as he believed it was only fair that they be compensated for taking time away from County duties to handle ones the State was responsible for. He stated an application process was required because much like FOIL (*Freedom of Information Law*) requests, it was necessary to track the County's response on inspections to ensure they were completed within the fourteen day timeframe and the application they developed which was fairly simple. He explained they created the email address gyms@warrencountyny.gov for the gyms who wanted to reopen to send their contact information and a link that affirmed they had read the State guidelines.

He said all businesses had guidelines they were required to read and affirm that they understood before they could reopen. He stated once the County received the gyms contact information and confirmed that they had read the State guidelines applicable to them they would be permitted to open and then the County would follow up with them to schedule the inspection. He informed when the inspection occurred the inspector from the County would travel to the gym where the inspector would review the gyms written safety plan, which was another requirement for every business to have HVAC (*Heating, Ventilation and Air Conditioning*) certification which the County had placed all of the State's requirements on a form at the bottom of which was an affidavit that indicated their facility was in compliance with the requirements. He said he could not comprehend how the State could put the County in a situation where they had to verify that these requirements were met when he, himself did not understand what they were, as they were very confusing. He apprised the NYS DOH had offered to assist the individual gyms with understanding what was expected of them for their HVAC systems and he encouraged anyone with questions regarding this to contact the NYS DOH District office in the City of Glens Falls at 518-793-3893. He mentioned the inspector would have an affirmation form because there would be a significant amount of things they could locate visually, such as is the exercise equipment located six feet from one another, etc. which they would have to check off on the form and anything that they could not visually see that applied to how the gym owners would manage their facility pursuant to these regulations, such as the fact that they would have staff presence at all time to ensure compliance, etc. have to be affirmed. Mr. Moore advised all of these documents would be available to the public and ensure all of the gyms had them well in advance to ensure they were aware of what was expected of them because the goal of the County was to make the inspection process as seamless as possible to assist the gyms with going through the process and maintain the health standards required of them. Mr. Moore indicated from the County's perspective the gyms had met the requirements once they completed all four steps and passed inspection, but it was possible this would be rolled back Statewide if it did not work which was noted as a disclaimer on the instructions to the gym owners to ensure they were aware of that. He stated the County would be maintaining records to ensure everyone was aware of how many gyms went through this process and if there were gyms who failed to meet certain requirements the County would work with them, possibly at the inspection to fix it, as the idea was not to have gym owners caught up in red tape, but rather to help them navigate through it. He stated an email had been distributed to Department Heads seeking employees who would like to volunteer to be part of this process and if so to notify him. He informed sixteen departments had volunteered employees for the process for a total of forty people, eight of which were Department Heads, including himself. He apprised the inspectors for the Village of Lake George had volunteered to handle the inspections for the gyms located in the Village and the City of Glens Falls Fire Department would be handling the inspections for gyms located in the City; he added Mike Palmer, *Fire Marshall, Town of Queensbury*, would be managing the gym inspections in the Town of Queensbury. He stated if these individuals were unable to handle any inspections for any reason then the County would take care of it for them, with the idea that the County employees would be back up for those jurisdictions. He informed Charles Wallace, *Director, Building Code Enforcement*, was going to attempt to handle the bulk of the gym inspections that fell outside of those three jurisdictions. He apprised the County would do the best it could given the circumstances of how this was dropped on the County with little to no notice and would likely make adjustments as they moved through the process and determined what did and did not work. He thanked Ginelle Jones, *Director, Health Services*, Patricia Belden, *Assistant Director, Health Services*, Tammie DeLorenzo, *Assistant to the County Administrator*, Mr. Lehman, Kristy Miller, *Confidential Secretary to the County Administrator*, Mrs. Allen and her staff, who would be assisting with tracking all of this and field questions from gym owners regarding the process and how to navigate through it. He added he would also like to thank the Department Heads for volunteering themselves and their employees even when they had other tasks that needed to be done and Robert Blais, *Mayor, Village of Lake George*, and Dan Hall, *Mayor, City of Glens Falls*, as well as the officials from the other municipalities that had assisted with this process and all of the inspectors that had signed

up. He remarked this was another example of how it was characteristic of the way the County had responded to the entire crisis and the unprecedented challenges that resulted from it, with everyone stepping up to the plate and working as a team; he added it had been a pleasure for him to be involved in that process. He apprised he would distribute all of the documents involved in the process to the Supervisors to utilize if individuals had questions for them.

Supervisor Diamond voiced his disappointment that the State had taken a position where they were requiring the County to handle these inspections and he questioned whether the County would provide the City of Glens Falls, the Town of Queensbury and the Village of Lake George reimbursement if they were successful in their quest to receive reimbursement from the State for undertaking this service and Mr. Moore replied affirmatively. Mr. Moore apprised the inspections were not being handled on compensation time or overtime during the off hours, but rather they would be handled during the regular workday. He said a training for all of the inspectors was scheduled for 3:00 p.m. this afternoon, adding he would be requesting that all of the them keep detailed accounting of the time they spent working on this in case the State was agreeable to reimbursing the County for this time which would be applicable to County employees and the other municipalities that were providing assistance.

Supervisor Braymer advised she was pleased the County was able to get a program in place to handle these inspections, as she concurred with Supervisor Diamond that it was of significance for the State to expect the County to do so on such short notice. She questioned whether the County was the enforcing body if there were any issues with the inspection because she did not want the gyms to be shutdown or be fined if they did not meet the requirements due to something minuscule, as she believed the County should be present to assist them with fixing the issue not just when they were first inspected, but rather going forward to ensure they could remain open and in compliance with all of the requirements so they could operate as safely as possible. Mr. Moore responded he concurred with the philosophy behind that which was consistent with the County's philosophy on enforcement with everything in that if they were going to leave the enforcement to the Counties as to whether a gym needed to be shutdown a graduated system would always be used with the first step being to notify them that something was out of line and needed to be repaired which the County would assist them with; however, he noted, if it becomes more of an issue where they did not want to comply with something included in the guidelines they would first receive a verbal warning, then a written one. He apprised it took some time before they reached the stage when their certificate of occupancy was revoked, as this was only applicable to the most extreme examples, but he was unsure whether this was the County's responsibility because the State regulations that backed up the Executive Order had yet to be released; he said he would surmise that the NYS DOH would have the regulations similar to how they had ones for the mask requirement and social distancing. He stated since the pattern in this situation had been to make it a County responsibility which fell on the Building Code Enforcement Department, he was anticipating that this would occur. He informed the County did not want to pull any gyms certificates of occupancy and would work with them to get them into compliance.

Supervisor Seeber apprised she was appreciative of all the efforts that had gone in to developing this process, as most of the Board Members had received a significant number of question from gym owners. She stated in a follow up to Supervisor Diamond's comments she wondered whether it would be worthwhile to send letters to Assemblyman Stec and Senator Little that recognized this was a State effort the County was undertaking and there was a cost associated with it. She said she was pleased the County was not waiting for the State to address this and help the regions businesses and community thrive in an environment that appeared to be next to impossible. Mr. Moore advised he believed that would be an appropriate step to take, informing he would have gotten more details on Wednesday, but the call got cancelled and postponed until 2:00 p.m. this afternoon. He informed if the State indicated they were unsure then it would be appropriate to contact the County's State Legislators, as well as the

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Governor's Office, as they had been very receptive to the County during the crisis. Supervisor Wild stated he would like to make a comment to the public and the regions business owners that all of the businesses reopening were met with risk, but they were being managed going forward which in this case the risk was slightly more. He advised the hope was the County could be successful because the public and business owners were complying with the requirements. He suggested they allow Mr. Moore to lobby the Control Room to indicate the County was not having an issue here and suggest if issues occurred in the New York City region in an attempt to stop Governor Cuomo from shutting the gyms down here when there were no issues here.

Chairman Thomas apprised he would also like to commend Mr. Moore and those who worked on putting this plan together. He said it was unfortunate this was not the first time that New York State had decreed something and Mr. Moore and the County employees had to meet the challenge each time. He added he hoped the State would cease dumping things at the last minute in the County's lap. Mr. Moore stated the County had done its fair share of complaining about this, but at the end of the day the work needed to be completed and if no one else was going to carry it out then the County would.

Privilege of the floor was extended to Ryan Dickey, 2nd Assistant County Attorney, to provide a report from the County Attorney. Mr. Dickey advised he had nothing to report on.

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 June 2020;
2. Capital District Regional Off Track Betting Corp. - Financial Report dated January 30, 2020;
3. Capital District Regional Off Track Betting Corp. - Financial Report dated February 29, 2020; and
4. Capital District Regional Off Track Betting Corp. - Financial Report dated March 31, 2020.

Other:

1. Capital District Regional Off Track Betting Corp. - 2019 Regular Benefit Distribution Payment #2 in the amount of \$2,101;
2. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payments 1 & 2 in the amount of \$1,312;
3. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payments 3 in the amount of \$656;
4. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payments 4 in the amount of \$656; and
5. Town of Queensbury - Resolution No. 115 of 2020, *Supporting the Renaming of Halfway Creek to Halfway Brook*.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 263-298 as well as a Certificate of Appointment were mailed; she apprised proposed Resolution Nos. 299-300 were produced after mailing and as the distribution deadline specified in the Rules of the Board was met a motion and simple majority was needed to bring these resolutions to the floor. The necessary motion was made by Supervisor Magowan seconded by Supervisor Driscoll and carried unanimously. Ms. Allen mentioned due to an oversight Resolution No. 302 was produced after mailing and as the distribution deadline as specified by the Rules of the Board was not met, a Waiving of the Rules would be necessary, as well as a motion to bring Resolution No. 302 which pertained to approving the SUNY Adirondack Budget for 2020-21 to the floor. Chairman Thomas called for a motion to Waive the Rules of the Board relating to the requirement that resolutions be provided to the Board of Supervisors on the Tuesday

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prior to a regular Board meeting in order to entertain a resolution adopting and approving the Adirondack Community College operating Budget for Fiscal Year 2020-2021. The necessary motion was made by Supervisor Braymer, seconded by Supervisor Leggett and carried by majority vote, with Supervisor Seeber abstaining. Chairman Thomas then called for a motion to bring the proposed Resolution regarding the SUNY Adirondack Budget to the floor. The required motion was made by Supervisor Wild, seconded by Supervisor Leggett and carried by majority vote, with Supervisor Seeber abstaining. Finally, Mrs. Allen advised there was one floor resolution to be addressed that had been distributed to the Board Members on August 17th which meant the additional 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 it to the floor. She informed the proposed resolution pertained to a budget amendment to move money into the correct accounts for the Stony Creek Radio Tower Project. The necessary motion was made by Supervisor Leggett, seconded by Supervisor McDevitt and carried unanimously. Mrs. Allen announced Floor Resolution No. 1 was now referred to as Resolution No. 303, adding a roll call vote would be required because it pertained to a budget amendment.

Chairman Thomas called for discussion and public comment on the proposed resolutions, as well as requests for roll call votes and he asked Mr. Lehman if there were any public comments at this time.

Mr. Lehman advised there was one comment on proposed Resolution No. 292, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*, from Travis Whitehead, *Town of Queensbury Resident*, who indicated there had been a concerted effort by Chairman Thomas, Supervisor Wild, Mary Elizabeth Kissane, *County Attorney*, and other to harm my character and he inquired when the public, and even myself, would learn some of the details of that effort. He said he had several FOIL requests denied by the County in his efforts to assemble a clear picture of what had transpired and as he felt his civil rights had been violated he would continue to pursue all legal avenues until he was satisfied in that regard. He mentioned he understood that any complaints that had been made against him had been retracted and he was aware that each of the Board Members had been told this even though that information had been denied to him. He apprised the stance that since there were now no complaints that there was now nothing to release, but he would like to remind them that he had been damaged by inappropriate remarks made by the Chairman of the Board a few months ago which is why this issue did not end today even if Michael J. Grasso was appointed and in fact this would only strengthen his case that he was slandered in order for the Chairman of the Board to be given the opportunity to appoint the GOP (*Grand Old Party*) Chairman in my place. He said they should ponder this while also pondering that he had also spent over forty-five years working in industrial plants, including the one in Washington County that brought him to the region and he had more experience with the types of jobs they were trying to bring to the area than any current or proposed member of the WWIDA (*Warren-Washington County Industrial Development Agency*).

Mr. Lehman stated there were no other public comments pertaining to resolutions.

Supervisor Magowan pointed out at the joint meeting of the Finance and Economic Growth & Development and Higher Education Committees last month it had been decided they would pre-approve the proposed Budget for SUNY Adirondack and then revisit it once the State notified how much their contribution would be and he asked whether they would like to discuss this now that the State had released the figures, but no one responded to his inquiry.

Supervisor McDevitt requested a roll call vote on proposed Resolution No. 292, , *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*. He apprised his opinion on Mr. Whitehead would be extremely helpful as a member of the

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WWIDA which the County had five members on. He stated since the WWIDA only consisted of ten members total he did not believe Mr. Whitehead could cause any damage and in fact could be very helpful due to his grasp of the more sophisticated issues at the County and more specifically those that related to engineering, such as the problems with Siemens when he was the only one who knew the intricacies and sophistication of the Siemens program. He added during the sale of the County's former nursing home, the Co-Generation, he was one of the only individuals that understood those issues. He informed volunteers were difficult to attract and just because some individuals felt Mr. Whitehead did not "play well with others" did not mean he should not be given respect, as there were many who "did not play well with others" and he was a taxpayer volunteering for an unpaid appointment who was not receiving the respect he deserved, as he had assisted him with understanding some of the more difficult engineering issues as they related to some complex problems. He concluded by stating he felt Mr. Whitehead should be encouraged and supported for a role on the WWIDA and he would be voting no on Mr. Grasso's appointment today because he felt uncomfortable with not resolving the issue with Mr. Whitehead quickly.

Supervisor Braymer apprised as she had previously stated during the Committee meeting, she would be voting in opposition of proposed Resolution No. 292, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*, because included in the Public Officer's Law Chairs of political parties did have special restrictions. She said while she understood this type of appointment of someone who had know resigned as of three days ago was not explicitly covered by the particular rules and the Public Officer's Law she still felt that they should follow that model and there should be some time away from the position following the resignation of this individual.

Supervisor Beaty informed he would also be voting in opposition of Mr. Grasso's appointment as noted in proposed Resolution No. 292 not because of Mr. Grasso's character or experience, but rather because the County and individual interested in the appointment who had experience as a member of the WWIDA who was no slandered and in his opinion a witch hunt had been created to discredit this individual who was a private citizen without any resolution. He said when he asked if this individual would get his day in court the response was in the negative which meant the County made allegations and complaints, slandered individuals and then withdrew them and believed this resolved the issue and they could move on after tarnishing this individuals reputation. He stated he was uncomfortable with that type of bullying of a private citizen and believed so were the majority of the Board Members, as it was beyond obvious this individual was qualified. He added in response to the comment that this individual did not play well with others, he believed the best government came from opposing opinions and working out and compromising from qualified individuals, as government was not a "lets sit on the beach everyday and sing kumbaya", as this resulted in the taxpayers continually getting the short end of the stick when this occurs. He stated sometimes government could be contentious and chaotic, adding this is how the founding fathers wanted it to be. He remarked what happened to Mr. Whitehead who was a private citizen, a few months ago troubled him, as it went beyond words what action certain members of this Board took that impacted this individual. He stated although he believed Mr. Grasso was qualified to be a member of the WWIDA since they had not resolved the issue concerning Mr. Whitehead and he was not allowed to have his day in court he would be voting in opposition of his appointment, as well as any other appointments to this outside agency.

Supervisor Wild advised he took issue, as he did not believe he slandered Mr. Whitehead and he took offense being grouped into whomever else may have or had been accused of slandering him. Secondly, he noted Mr. Whitehead was not the only engineer that served on the WWIDA, as he was also educated as an engineer, with a degree in chemical engineering from Syracuse University. He stated it was all about how they went about making things happen and differences of opinions had always been

appreciated on that Board during his tenure as a member; he added it all pertained to how each member made their contribution.

Supervisor Driscoll stated he may have missed the announcement that Mr. Grasso had resigned as the Chairman of the GOP when he received his packet of resolutions. He said he had spent a significant amount of time discussing proposed Resolution No. 292, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*, with other members of the Board of Supervisors, as well as friends of his who had served on the County GOP Committee with him, all of whom indicated Mr. Grasso was intelligent, knowledgeable, experienced individual who most relevant brought a substantial amount of passion to his position throughout the years on that Committee. He informed passion was the most important thing he sought after in Committee members, as they could have a number of degrees, but if they did not bring passion nothing would get accomplished. He apprised he had the pleasure of working with a few political Committee chairs and again passion was the quality that best represented why these individuals did what they did. He stated he had spoken about being open minded about both candidates; he added there was a forthcoming important date on November 3rd and he was uncomfortable supporting this proposed Resolution with an effective date of August 21st. He said he would be more open minded to consider both candidates if the effective date for the appointment was November 4th so the vacancy could be filled and the Board could move on from this issue to focus on other matters. He remarked he hated when “politics reared their ugly head” into the type of work the Supervisors did, as he did not believe it should play a part in the work done by the Board of Supervisors or in any of the Committee work that they engaged in whether they were elected officials or volunteers from the community.

Supervisor Seeber advised she felt there were two issues that were currently being discussed, one of which how they felt about what took place with regard to Mr. Whitehead, who, in her opinion, would have been a great addition to any group he was interested in investing his time on, and in particular the WWIDA. She informed her concern was if they were going to continue to discuss the allegations of harassment which they had all been notified regarding the withdrawal of the most recent allegation; however, she noted, there were two other instances they were made aware of which she had not seen a copy of with her understanding being there was no finding. She said it was not that she wanted to resolve this today, but she would request that they discuss this at the Personnel & Administration Committee meeting during an executive session. She remarked she was of the opinion that they owed Mr. Whitehead an apology, but it would be appropriate to have that referred to and considered by the Personnel & Administration Committee for discussion with the Human Resources Department about how these allegations and subsequent actions were actually followed through or provided to the public. She advised she thought it was important they kept in mind that they wanted County employees and the public to trust the County policies and also come forward when they were not feeling safe or secure, adding this had nothing to do with this particular incident, but rather just in general if they were not going to follow up and share those results of findings she was unsure why they were using a policy that was holding back information either so she would like to have that revisited. She mentioned as it related to a separate issue which concerned Mr. Grasso, who had recently resigned as the Chairman of the Republic Party, she noted they had all reviewed his resume and were aware of his interests in this position, adding she took no issue with supporting a qualified candidate that had been put before the Board for appointment, not just by Chairman Thomas, but also his appointment was vetted and approved by the Personnel & Administration Committee and forwarded on to the Board for consideration which she was fully supportive of.

Supervisor Hogan stated she would be voting in opposition of proposed Resolution No. 292, *Appointing Member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation*; however, she noted, it was not for any of the reasons that had already been stated. She informed she believed this was another missed opportunity, as it was imperative for them

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to ensure their appointments to outside agencies and/or Board's represented the entire County and all of its citizens. She said this was yet again another example of a missed opportunity to diversify appointments to an outside agency and/or Board, as there was only one female member of the WWIDA and she was appointed by Washington County. She remarked she would like to encourage them with all of their appointments to expand the search on a wider spectrum for candidates that were equally qualified, but would bring a different voice to the table.

Chairman Thomas announced an executive session was required to discuss the issue with the mail provider for the County. Ms. Braymer stated she would like to discuss a matter before they went into executive session; Chairman Thomas interjected first they would need to enter into an executive session to discuss a pending contract.

A motion was made by Supervisor Braymer, seconded by Supervisor Simpson and carried unanimously to enter into an executive session pursuant to section 105 (f) of the Public Officers Law.

The executive session was held from 11:44 a.m. until 11:52 a.m.

Upon reconvening, Chairman Thomas announced no action was taken during the executive session, but there were two proposed Resolutions before them, the first of which was Waiving the Rules of the Board relating to the requirement that resolutions be provided to the Board of Supervisors on the Tuesday prior to a regular Board meeting in order to entertain a resolution assigning the Mailings Made Easy, Inc. Agreement to Center for Disability Services, Inc. A motion was made by Supervisor Simpson, seconded by Supervisor Shepler and carried unanimously to bring the proposed Resolution which Waived the Rules of the Board to the floor. Chairman Thomas stated a motion was required to introduce proposed Resolution No. 305 to the floor concerning assigning the Mailings Made Easy, Inc. Agreement to Center for Disability Services, Inc. The necessary motion was made by Supervisor Wild, seconded by Supervisor Braymer and carried unanimously to bring proposed Resolution No. 305 to the floor.

In regard to proposed Resolution No. 302, *Adopting and Approving Adirondack Community College Operating Budget for Fiscal Year 2020 - 2021*, Supervisor Beaty apprised as much of a supporter he was of SUNY Adirondack he could not in good sense ask the County taxpayers and this Board to increase the County's contribution toward SUNY Adirondack's Budget by 2%, let alone any increase. He stated while he was pleased with the work Dr. Kristine Duffy, *President, SUNY Adirondack*, was doing there, he could not support an increase when the State had decreased their contribution and the County was also dealing with cuts in State funding and they were increasing their share of the County's sales tax revenue. He stated for these reasons he would be voting in opposition of proposed Resolution No. 302.

Supervisor McDevitt informed he disagreed with Supervisor Beaty's viewpoint regarding proposed Resolution No. 302 because at the end of the day he felt they lived in a part of the World where education was important and in his opinion this was not an issue that was subject to debate. He stated the County would be able to locate a funding source to pay for the increase, noting Mr. Swan had just notified them the County was currently in good financial standing which he was appreciative of those comforting words.

Supervisor Wild stated if Dr. Duffy was still present via teleconference he felt she should weigh in on this issue. He informed Dr. Duffy had noted the substantial cuts they had made to their Budget at the Committee meeting to get to their present status. In regard to economic develop, Supervisor Wild apprised one of the key elements of the County's ability to continue moving forward was to have an educated workforce and forge the fact that they were the forthcoming generation which was why he

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did not believe the County could “pull the rug out from underneath them”. He concluded by stating he was fully supportive of proposed Resolution No. 302, *Adopting and Approving Adirondack Community College Operating Budget for Fiscal Year 2020 - 2021*, and if Dr. Duffy was present she may want to contribute towards this discussion.

Supervisor Magowan apprised he had brought this up earlier in the meeting, informing while he believed education was important the one thing he had observed about it was the cost continued to increase substantially, just like almost everything else. He informed although Mr. Swan had indicated the County was currently in good financial standing as a business owner for many years he was well aware it was necessary to plan for some downturns by setting aside funding for when this occurred; he added even though the County finances were currently in good standing they did not know what to expect for next year. He advised this was not personal against Dr. Duffy, as he was appreciative of all the cuts she had made to the Budget; however, he noted, the State was making cuts not only to Warren County, but across the board. He said as a business owner he did not have the opportunity to raise his prices to make up the shortfall of what someone else had taken away from him and he understood how dollars added up so he was attempting to hold off on County spending as much as possible until the economy was more solvent. He advised he had nothing against education, pointing out all of the local school district budgets had cuts made to them, but he was not aware of these budgets ever being denied, but they needed to tighten the belt on everything so he would be voting in opposition of proposed Resolution No. 302.

Supervisor Bruno informed he concurred with Supervisors Beaty and Magowan which was why he regrettably could not support this resolution.

Chairman Thomas offered privilege of the floor to Dr. Duffy, who apprised she fully understood the financial status of the County and the State, as well as SUNY Adirondack. She stated as was previously noted they had taken extensive action to reduce their expenses by \$2 million through the furloughing of 126 employees across the institution, making extensive cuts and using an austerity budget, as well. She mentioned although she recognized that it was challenging to consider any type of increase, the minimal increase the College was requesting would assist them with continuing to maintain and be able to offer the education that the citizens were deserving of and also be a part of the economic recovery of Warren and Washington Counties and this region. She remarked the Board’s support would be greatly appreciated, adding they recognized and were appreciative of all of the support the County provided to SUNY Adirondack each year.

Supervisor Braymer advised she did not think this was the appropriate time to make cuts to higher education spending because if the County is headed toward an economic downturn it was evident from the previous time the economy was in a recession that many individuals returned to school to improve their educational status. She said because of this she did not believe right now was the appropriate time to cut the County’s contribution to SUNY Adirondack.

Supervisor Magowan stated it would be beneficial if more individuals enrolled because that would increase the enrollment figures which would result in additional revenue for the College so the additional contribution from the County was unnecessary. He apprised it was necessary to think in real terms as to what was best for everyone and he believed they needed to be conscious of every dollar the County was currently spending.

Supervisor Hogan advised she thought education was the future and she believed they could find the money in the County Budget to fund this increase. She stated Dr. Duffy had made some hard decisions and made cuts wherever possible and she felt the Board should show their support for the work she

had already done, as well as the work the school would do into the future; she noted individuals went back to school during times of economic downturn and it was necessary for the County to be supportive of the College.

In regard to proposed Resolution No. 290, *Authorizing Payment of Employees Not Working While on Paid Administrative Leave Without Requiring the Use of Earned Leave Time Accruals*, Supervisor Braymer recalled she had stated in Committee she was comfortable paying employees who were not working while on paid administrative leave because they were not notified they would have to use some of the leave time they had accrued; however, she noted, the resolution in its current form made no mention about going forward. She informed she would like the resolution to be amended to indicate this was only applicable from June 17th until today and going forward if County employees were not working while out on administrative leave the Board of Supervisors would be made aware of this and be provided with a chance to render whether they would be paid during this time off, use their accrued time off or request that they go out on unpaid furlough.

Mr. Moore stated even if that directive was not included in the resolution that was certainly the intent and he would not object if they wanted to memorialize that in the resolution. Mr. Geraghty apprised he believed they should amend the resolution to state that because he thought the purpose was to make no payments going forward.

Motion was made by Supervisor Braymer and seconded by Supervisor Geraghty to amend proposed Resolution No. 290 as outlined above.

Supervisor Leggett asked what the effective date would be and Supervisor Braymer replied the paid administrative leave had commenced on June 17th. Supervisor Leggett clarified what he was inquiring about was the date they would no longer pay employees who were out on administrative leave and Mr. Geraghty responded the cut off should be effective immediately. Mr. Moore informed from a practical standpoint the County did not have any employees out on paid administrative leave during the month of August so the cut off date should be July 31st.

Supervisors Braymer and Geraghty amended their motions to include July 31st as the termination date for the paid administrative leave. Chairman Thomas called the question and the motion to amend proposed Resolution No. 290, *Authorizing Payment of Employees Not Working While on Paid Administrative Leave Without Requiring the Use of Earned Leave Time Accruals*, was carried unanimously.

Supervisor Magowan asked how the staggering schedules were working for those who worked from home, as he understood why it was being done, but he wondered if the employees working from home were being fully productive because to him it appeared to be a privilege which allowed employees to preschedule appointments. He questioned why working from home was even needed when protective screens could be erected so that more employees could return to working from the office. He stated it was not that he was calling anyone out for being dishonest, but he was aware upon occasion individuals would take advantage of this situation and he did not want to set a precedent. He asked when the County could reopen and have all employees return to working from the office and Chairman Thomas responded he believed the majority of County employees had returned to work. Mr. Moore interjected that all County employees had returned to work, as the point that was just made was there had been no paid administrative leave used since July 31st. Supervisor Magowan asked why employees were still working scheduled shifts, such as those who were coming into the office on Monday, Wednesday and Friday and working from home on Tuesday and Thursday and then the following week they worked the opposition schedule. Mr. Moore informed the County employees who had the ability

to perform their daily job duties at home were advised to work from home remotely; apprising this was a dictation from New York State. Supervisor Magowan inquired whether these individuals were being strictly supervised to ensure they were being fully productive and Mr. Moore replied affirmatively. Supervisor Magowan advised the only reason he brought this to their attention was because he was aware of businesses where this process had not worked for them. Mr. Moore stated if Supervisor Magowan had any concerns about a department taking advantage to notify him and he would discuss this with the Department Head. Supervisor Magowan apprised he did not have any concerns regarding any specific department he just wanted to mention it as a general concern.

Supervisor Seeber stated to Supervisor Magowan's point which she felt he was also attempting to refer to flexible work schedules, it was her understanding the County did not have any policies adopted regarding this due to the fact that there was an Executive Order in effect which was being utilized. She suggested they consider adding this to the Personnel & Administration Committee meeting agenda with regard to discussing the creation of a policy for flexible work schedules. Mr. Moore interjected there were County policies and Union contracts that spoke to this. Supervisor Seeber asked if there was a policy regarding this for non-Union employees and Mr. Moore replied in the case of non-Union employees it was up to the discretion of the Department Heads, as they were aware of what work needed to be completed and what was assigned to who and it was their job to manage their department. He said it was the discretion of the Department Head as to how they wanted to schedule these shifts. Supervisor Seeber apprised to Supervisor Magowan's point, even when there was no Executive Order the Department Heads had the ability to assign when employees worked from home and in the office however they saw fit and those plans were filed with Mr. Moore's Office for consistency and oversight and available for the Supervisors to review on an annual basis and Mr. Moore replied affirmatively. Mr. Moore further expounded if there was anytime when a Supervisor wanted to know how a department was operating they should contact him and he would provide them with the information. Supervisor Seeber remarked she felt it was important that they continued to discuss performance work plans and ensured they were completed even in light of COVID-19, as it was most likely more important to recognize those efforts, but also she had not had the chance to discuss with him individuals coming to the County via an appointment versus being open to the public. She advised she was hoping as soon as it was permitted by the State the County would allow the public into the Warren County Municipal Center building on a limited basis without appointments even if it was only ten at a time because they were the ones who foot the bill for the services. Mr. Moore apprised if it had been a County decision they would have opened the DMV to customers awhile ago, but the State had kept it on an appointment only basis and they had extended that until September 11th.

Supervisor Braymer stated she felt the confusion was a result of the lack of an update regarding County personnel being provided to the Board in some time which was why she was aware of the rumors regarding what was occurring and was why she had asked Mr. Moore the other day for an update. She suggested an update be provided from the Chair of the Personnel & Administration Committee or the Committee Chairs could request that the Department Heads of the departments they were charged with overseeing provide them with updates regarding their staff like she did with Real Property Tax Services and how the public had access to them. She said it would be nice to have some correspondence providing them with updates on a regular basis.

Supervisor Magowan thanked Supervisors Seeber and Braymer for clarifying the point he was trying to get across.

Supervisor Wild stated as a point of information that time was running out for individuals to complete their Census survey's and he was wondering if Sara Frankenfeld, *GIS Administrator*, could be allotted some time to provide an update on the process, as he believed it would benefit both the Supervisors

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and the public. Chairman Thomas responded Ms. Frankenfeld could provide that update following the vote on resolutions.

There being no further discussion, Chairman Thomas called for a vote on resolutions, following which Resolution Nos. 263-305 were approved as presented, with the exception of Resolution No. 290, which was amended from the floor, as well as Resolution Nos. 291 and 297, which were withdrawn.

Chairman Thomas offered privilege of the floor to Ms. Frankenfeld to provide an update regarding the status of the 2020 Census. Ms. Frankenfeld informed a more detailed report would be provided at the Economic Growth & Development and Higher Education Committee meeting on Tuesday, August 25th, but to provide a brief summary regarding the process. She thanked the County Administrator's and County Attorney's Offices for ensuring there was a quick turn around time with the grant they had received from the State to get it moving forward. She apprised they had been able to hit the ground running and made a substantial amount of progress this week and she thanked Kathy Tolstrup, *Senior Director, Tri-County United Way*, for her efforts, adding the Tri-County United Way was the County's not-for-profit partner on this initiative because the grant required that 75% of the funding be funneled through a not-for-profit and they stepped up and volunteered to take on that role and had been working hard this week. She said today they were at the Farmers Market in the Town of Bolton and they planned on attending and setting up booths at the Farmers Markets all throughout the County, as well as the Shirt Factory Food Truck event in the City of Glens Falls. She apprised they were also partnering with the Census Bureau to distribute mobile questionnaires in other locations in the County, such as the one that was set up yesterday at The Open Door Mission. She stated they had a significant amount of media going on and were picking up some additional lawn signs this afternoon in a different color that indicated time was running out and they would be distributed around the County within the next few days. She informed they had designed large outside banners for the Town Halls to display on their building or on their front lawns that would be distributed to them next week. She apprised they had messages on digital messaging boards around the County and they would be placing advertisements in *The Post Star*, *The Chronicle*, and *Sun Community News*. She stated they were also doing a significant amount of media, as they were on North Country Radio, in *The Post Star* and the *Sun Community News*. She advised enumerators were also out and about in the community as of August 11th so those who had not filled out the Census survey yet may have had them visit their homes, as they were trying to emphasize this was a legitimate activity and that people were required by law to complete it so individuals should open the door for them; she added all enumerators were following social distancing guidelines, wearing face masks and would not enter homes. She remarked she was hopeful with all of this flurry of activity the County would be able to increase its numbers.

Supervisor Conover inquired how many enumerators were working in the field since August 11th and Ms. Frankenfeld replied there were at least three enumerators in the Town of Bolton, but she was unsure of how many there were throughout the County. She stated because they had moved up the deadline for when the Census should be completed from October 31st to September 30th additional enumerators had been hired, eighteen of which participated in a training this week.

Supervisor Wild commended Ms. Frankenfeld for a job well done, apprising it was necessary for the public to participate in this process.

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

Mr. Lehman apprised there was a question for Mr. Swan from Gina Mintzer, *Executive Director, Lake George Regional Chamber of Commerce & CVB*, inquiring if the \$500,000 decrease in revenue that was

discussed earlier reflected any allocations from the reserves, was it forecast for year-to-date and looking forward to two year end and last was there any forecasting for 2021. Mr. Swan responded the \$500,000 figure referred to the decrease in revenue from the same time last year, but they would have to see what occurred at the end of the year in terms of whether the revenue he referred to earlier was received and the status of sales tax receipts. In regard to 2021, Mr. Swan stated he did not have any predictions on that due to it being dependant on what occurred with the economy over the next few months. Mr. Moore added he compiled the multi-year forecast, apprising he concurred with Mr. Swan that it was hard to predict how the economy would rebound, nor did they know what would occur with State aid. He informed there was still the potential for a 20% cut in State aid, but this was dependent upon whether the Federal Aid Bill was approved and if not what would that mean for State finances going forward, as this could mean a longer-term reduction in State aid to the County. He advised typically there were maybe one or two unknowns, but this year there was about a dozen of them.

Mr. Lehman stated there was another comment from Ms. Mintzer which thanked Mr. Moore and himself for the daily COVID updates, as she shared them in real time with their business colleagues to ensure they were up-to-date and operating safely and responsibly and she was appreciative of everyone's efforts.

Mr. Lehman advised there was also a comment from Joey Boswell, who indicated he was representing CASA Advancing Tobacco Free Communities which was a Not-for-Profit Program that covered Warren County. Mr. Boswell stated he would like to provide an update regarding the New York State Quitline, which was offering a free three month supply of nicotine therapy replacement gum. Mr. Lehman informed he had responded to Mr. Boswell requesting that he e-mail him for more information that could be distributed to the Board relative to this program

Chairman Thomas called for announcements.

Supervisor Seeber thanked Mrs. Allen for going above and beyond her regular job duties and contacting NACo and requesting copies of The Right Way to Run A Meeting, which was a short reference guide which they agreed to provide free of charge to all of the Board Members and were on their desks. She stated she had also decided to make the request to Chairman Thomas every month to schedule training pertaining to Robert's Rules of Order and the Rules of the Board for all of the Supervisors, as it was her understanding there were some Rules of the Board that were more restrictive then Robert's Rules of Order. She said she would be grateful for the County Attorney and NYSAC to provide a brief training that would provide all of them with more information about what it meant to abstain from a vote, when was a majority vote required rather than a majority vote, etc. She said she was hoping Chairman Thomas would consider scheduling this training sometime before the end of the year.

Supervisor Driscoll stated he wanted to remind them they had received a poignant memo from Ms. DeLorenzo regarding wearing face masks. He said he believed about 90% of County employees on this campus, as well as offsite were wearing face masks when they were in their offices, as well as when they walked during their breaks outside in groups. He added they should encourage the employees to continue to wear face masks because they lead by example as far as what the public saw on the County campus.

Supervisor Magowan apprised he felt safe and confident attending the Board Meeting in person now that protective measures had been put in place to ensure the Supervisors safety and he encouraged all of his colleagues who were attending the meeting via teleconference to consider attending the next Board Meeting in person.

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Supervisor Seeber inquired if the dividers in between their desks could be installed for those seated behind the dias, as this would allow the Committee chairs to conduct their meetings from there while also providing an extra layer of protection to make other Board Members feel safe returning to attending meetings in person. She said this would be helpful because the Board Room was being used for Committee meetings, as well for the time being. Chairman Thomas replied he thought this was something that could be done, but currently the Chairs of Committees were doing so from their desks. Supervisor Seeber remarked for the long-term it would be appropriate to outfit the dias with the proper safety measures so those who chaired in person could do so. Supervisor Magowan apprised he would discuss this matter with the Buildings and Grounds Department following the conclusion of the meeting.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Wild and seconded by Supervisor Seeber, Chairman Thomas adjourned the Board Meeting at 12:32 p.m.