

# Warren County Board of Supervisors

BOARD MEETING  
WEDNESDAY, OCTOBER 14, 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 6:00 p.m.

Mr. Frank E. Thomas presiding.

Salute to the flag was led by Supervisor Diamond.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Simpson, Hogan, Wild, Magowan, Seeber, Beaty, Geraghty and Thomas-20 Absent -4 Supervisors Dickinson, Merlino, Strough and Shepler

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

Chairman Thomas apprised that Congresswomen Stefanik, Senator Little and Assemblyman Stec had been unable to attend the meeting. He stated prior to proceeding with the Agenda review Ryan Moore, *County Administrator*, would like to speak about the Health Services Department. Mr. Moore informed he had requested that Ginelle Jones, *Director of Public Health/Patient Services*, attend this evening's meeting to answer any questions that the public may have regarding the COVID-19 pandemic as a pretext to ensure she was in attendance to thank her and her Department for doing such a great job throughout this entire pandemic. He advised the County had not been doing their Employee of the Month presentations nor had a decision been made as to when these presentations would begin again as a result of the social distancing requirements to prevent the Board Room from being too overcrowded; however, he noted, he would like to present an Employee of the Year award to Mrs. Jones on behalf of the Board of Supervisors and the citizens of the County. Mr. Moore introduced Chris Jones, Mrs. Jones husband, who was present to give Mrs. Jones the award on behalf of everyone. He said he was aware Mrs. Jones did not want to be singled out, but it was leadership that moved things forward in the right direction and the Health Services Department had motivated everyone since the beginning of this pandemic to do what was required of them. He indicated a number of the accolades that were heard from the community for actions that were taken as a result of the effects of the pandemic, such as the impacts from the closure and reopening of businesses, as well as the effects of all of the rules, but Mrs. Jones was dealing directly with the pandemic. He informed she and her staff had talked to 377 residents who had been stricken with the virus, as well as all of their friends, families and neighbors, thousands of individuals who had been quarantined, all of whom she and her staff had gotten to know personally, had cared about and had been difficult to experience these things with them, which he

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attributed to Mrs. Jones's leadership. He remarked without containing this pandemic everything else would be meaningless because the County would not be in a position to do it and with that in mind he extended his gratitude which he hoped she would accept. A round of applause was given.

Mrs. Jones thanked the Board for the recognition which she would be sharing with her staff. Mr. Moore remarked they were all deserving and he hoped she would accept the award on behalf of all of them, as it was her leadership and their hard work that had assisted the County with getting through this pandemic.

Proceeding with the Agenda review, Chairman Thomas offered privilege of the floor to Robert Landry, *Executive Director, Glens Falls Housing Association*, who apprised that was a nice segue into what he would like to discuss this evening on behalf of the Glens Falls Housing Authority. He mentioned whenever individuals who worked in government made mistakes or did things that were unacceptable to those they represented they were always made aware of it. He said he would like to acknowledge the Warren County Public Health Department for handling the above and beyond call of duty work they were doing during an unprecedented pandemic. He stated Mrs. Jones and many of her staff had become household names to their agency and provided comfort to their 250+ residents who were senior citizens, adding his counterparts throughout the State had indicated to him that type of support was not provided to them by their Counties Public Health Departments. He remarked he was more than willing to spread the word on the type of support these County employees were providing, informing they were available to his agency twenty-four hours a day, seven days a week, as was just mentioned and he would like to extend his gratitude to the Health Services employees, as well as the Board of Supervisors for a job well done. He apprised although the pandemic was on-going, he felt it had been managed well by the County and its staff.

Mr. Landry stated he would also like to ensure everyone was aware of a major project that was about to be undertaken by the Glens Falls Housing Authority involving a \$35 million redevelopment of their entire affordable housing portfolio. He said this project involved a complete rebuild of their three senior housing high-rise complexes and the replacement of their Larose Garden Family Affordable Housing Project. He said this project would commence in 2020, had been underway over the last four years and would secure modern ADA (*Americans with Disabilities Act*) compliant and energy efficient affordable housing for the individuals they served throughout the County. He mentioned they had also recently began a program referred to as Homeless Foster Youth to Independence Initiative which the County Department of Social Services had access to through their organization and encompassed caseworkers applying for vouchers for youths exiting the Foster Care Program to assist them with establishing themselves in the community and creating a path to independence for them. He explained the time of application to the time of occupancy for these youth was within ninety days or less which was historically unheard of. He stated he and his staff had been busy, but they wanted to take the time to acknowledge Mrs. Jones and her staff for their efforts which he was appreciative of. He remarked that he believed persevering through this pandemic would be easier as a result of Mrs. Jones and her staff working everyday for the benefit of the County residents. He concluded by thanking the Board Members for the opportunity to speak to them this evening.

Chairman Thomas thanked Mr. Landry for the update regarding the Glens Falls Housing Authority, as well as the kind words which he was appreciative of.

Chairman Thomas noted a motion was necessary to approve the minutes of the September 18<sup>th</sup> Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor McDevitt, seconded by Supervisor Magowan and carried unanimously.

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Continuing to the report by the Chairman of the Board, Chairman Thomas stated he had attended a meeting of the Adirondack Park Local Government Review Board with Supervisor Geraghty on September 30<sup>th</sup>. He apprised on October 13<sup>th</sup> he attended a Lake Champlain-Lake George Regional Planning Board meeting via Zoom, as well as the joint meeting of the Personnel & Administration and Public Safety Committees. He mentioned this morning he and Supervisors Frasier and Strough had attended a meeting of the Adirondack/Glens Falls Transportation Council during which a major project in Washington County that would commence in 2023-2024, a rehabilitation project on Webster Avenue in the City of Glens Falls and the Glen Street signals and one for the New York State Department of Transportation throughout Region One for wrong way and bridge clearance signing were all moved forward. He stated that he had received a letter from Supervisor Braymer which was written with the assistance of Sara Frankenfeld, *GIS Administrator*, which he had held off on signing upon the advice of Ms. Frankenfeld, as the deadline for the 2020 Census had been extended to October 31<sup>st</sup>, but this had since been changed to the end of this week by the United States Supreme Court.

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

Supervisor Conover reported on the September 22<sup>nd</sup> Public Works Committee meeting where they approved proposed Resolution No. 376 which he provided a brief overview of.

Chairman Thomas apologized to Supervisor Diamond for inadvertently starting off with Supervisor Conover and he asked him if he had anything to report to which Supervisor Diamond replied in the negative.

Supervisor McDevitt indicated he had nothing to report on.

Supervisor Braymer advised the Environmental Concerns & Real Property Tax Services Committee had met on two occasions this month, the first of which was on September 22<sup>nd</sup> where they approved proposed Resolution No. 370 which she requested support of. She stated the purpose of the special meeting on October 6<sup>th</sup> was to entertain requests from four property owners to accept payment in full for the back taxes owed on their parcels and have them removed from the County Foreclosure Auction which the Committee was agreeable to. She said as per the information she had all four of these property owners had paid off the full amounts due the day of the meeting and the properties were subsequently removed from the County Foreclosure Auction.

Supervisor Bruno indicated he had nothing to report on.

Supervisor Driscoll stated the Human Services Committee had met on September 21<sup>st</sup>, but no resolutions were requested there and the next meeting was scheduled for Monday, October 19<sup>th</sup>. He advised this afternoon he had the opportunity to attend a Zoom meeting with the Adirondack Regional Chamber of Commerce Non-Profit Business Council which included fifteen not-for-profits inclusive of Glens Falls Hospital, CWI and SUNY Adirondack in addition to other not-for-profits during which the COVID-19 pandemic was the focus of their discussion. He said they also discussed ensuring the County residents were receiving the services they needed and that there was good communication to the public. He stated he had encouraged this group to contact the County's COVID Task Force to share this information with the public. He informed upon the invitation of Supervisor Merlino, he and a few of his fellow Supervisors had the opportunity to partake on the new route being offered by Revolution Rail Company in the Hadley/Luzerne area which caused him to miss the meeting of the Zero Waste Committee who were identifying issues they had with the County's draft Solid Waste Plan. He voiced his appreciation of Kevin Hajos, *Superintendent of Public Works*, for his active involvement in

communicating with this group of private citizens which he hoped would continue going forward.

Supervisor Frasier advised the Finance Committee had met on October 1<sup>st</sup>, approving proposed Resolution Nos. 364-365 and 384-393 and she provided a brief overview of each. She stated as previously mentioned by Chairman Thomas she had attended the meeting of the Adirondack/Glens Falls Transportation Council meeting via Zoom this morning and yesterday she had attended the meeting of the Lake Champlain-Lake George Regional Planning Board via teleconference. She offered privilege of the floor to Mike Swan, *County Treasurer*, to provide an update on the County finances.

Mr. Swan informed he had distributed a report on sales tax that indicated collections were down about 4% which in his opinion was an improvement as compared to its status during other times this year. He stated there was one more payment forthcoming for September which could advance the County even further in the right direction. He opined the County would finish out the year around 2% below the projected amount for sales tax collection in the 2020 County Budget which considering what they had been through was respectable because even though they never wanted there to be a shortfall, the loss could have been substantially more.

Mr. Swan apprised the County was still down a little over \$2 million in State reimbursements on programs and so forth, as some funding had been received, but it was minimal. In regard to occupancy tax, he stated they had not received the number of payments they typically collected because a number of properties were submitting their payments late. He said this was making it difficult for him to determine the status of occupancy tax, adding all of the properties that made their payments late would be charged a penalty fee, as well. He stated the subpoena that was issued to enforce Airbnb to provide their list of host properties within the County had upset some individuals, but his office was handling it and the list would be provided to them by the beginning of next week.

Supervisor Simpson advised the Personnel & Administration Committee had met in a joint meeting with the Public Safety Committee on September 23<sup>rd</sup> and again on October 1<sup>st</sup> for the purpose of conducting interviews for the Director of the Office of Emergency Services position. He stated the regular meeting of the Personnel & Administration Committee was held on October 1<sup>st</sup>, approving proposed Resolution Nos. 378-383 and he provided a brief overview of each. He informed on October 13<sup>th</sup> they held another joint meeting with the Public Safety Committee for the purpose of discussing matters leading to the appointment of a new Director of the Office of Emergency Services and at the appropriate time he would like to make a motion to bring proposed Floor Resolution No. 2 to the floor. He said the search and interview process for the appropriate candidate had been rather lengthy, as it had been interrupted by the COVID-19 pandemic which made it more difficult to fill the position. He advised many qualified candidates applied for the position rendering it difficult to decide on who to hire, but he believed they had selected the proper individual for the position.

Supervisor Hogan informed Cornell Cooperative Extension continued to stay relevant during this shift in society and had managed to move forward with a program pertaining to archery and they were planning for another Master Gardener Program next winter which they were accepting applications for now. She said they had been present at local farmer's markets throughout the County doing education on plant based diets, handing out recipes for fresh produce, etc. She advised moving forward they would be hosting Achievement Day in a virtual setting this year rather than getting together and celebrating what the kids were doing in the 4-H program. She stated they would also be holding a class on preparing the garden for winter on October 22<sup>nd</sup> and the annual volunteer recognition and annual meeting would be held virtually and she invited everyone to attend. She apprised Game of Logging would be held in the Town of Chester. Supervisor Hogan remarked as a member of the Environmental Concerns & Real Property Tax Services Committee she was hoping everyone would support proposed

Resolution No. 370, *Resolution in Support of a "Green Amendment" to the New York State Constitution*, as environmental issues were on the forefront of this era where everything appeared to be divided and partisan she would be pleased to see everyone support this amendment unanimously as a way of demonstrating what they could accomplish together. She stated she was also requesting support of proposed Resolution No. 376, *Authorizing an Easement on County-Owned Thurman Station Railroad Property in the Town of Thurman to SLIC Network Solutions for Placement of a Broadband Internet Cabinet*, as this was an important connection for broadband for the northern portion of the County.

Supervisor Wild advised the Economic Growth & Development and Higher Education Committee had met on September 22<sup>nd</sup> and again on September 28<sup>th</sup>, but no resolutions were approved at these meetings. He stated the purpose of the September 28<sup>th</sup> meeting was for Jim Siplon, *Interim President, Warren County Economic Development Corporation*, to provide an update regarding Mr. Siplon's priorities, the synergies they were seeking and the investments they were planning on making; he added he believed they were on the right track, apprising Mr. Siplon was present today to answer any questions. Supervisor Wild informed in addition the Economic Recovery Task Force continued to meet on a weekly basis, as well as the Hospitalities Communications Group and as a result some of the questions that had risen through some of the past Committee meetings he had requested that some of the members of the Economic Recovery Task Force attend the Economic Growth & Development and Higher Education Committee meeting next Tuesday, October 20<sup>th</sup> to provide an update what where they were going, what the challenges were, what they had attempted to accomplish to date and their outlook for the future. He mentioned the Lake Champlain-Lake George Regional Planning Board had been awarded federal grant funding for the purpose of offering business loans at an interest rate of 1.9% and he encouraged any businesses that were struggling as a result of the Coronavirus to contact their organization for more information.

Supervisor Magowan informed the Support Services Committee had met on September 21<sup>st</sup> during which the departments he was charged with overseeing reviewed their 2021 Budget requests. He remarked most of the departments he provided oversight to had minimal budgets; however, he noted, he was pleased that they had all attempted to find savings wherever possible. He stated proposed Resolution No. 377, which he provided a brief overview of, was approved by the Committee at this meeting. He provided a brief overview of proposed Resolution No. 386, which concerned the Board of Elections, but was presented and approved by the Finance Committee without going before the Support Services Committee beforehand because it occurred after the meeting. He apprised following the Finance Committee meeting a number of concerns with proposed Resolution No. 386 had come to light which was why he would like to make a motion to withdraw it at the appropriate time.

A motion was made by Supervisor Magowan, seconded by Supervisor Driscoll and carried unanimously to withdraw proposed Resolution No. 386, *Ratifying the Actions of the Commissioners of the Board of Elections in Executing a Grant Application to the Center for Tech and Civic Life for the Purpose of Planning and Operating Safe and Secure Election Administration in Warren County in 2020 and Authorizing a Grant Agreement for Same*.

Supervisor Seeber reported on the September 21<sup>st</sup> Criminal Justice Committee meeting, where they approved proposed Resolution Nos. 369 which she provided a brief overview of. She said she also had the opportunity to attend the NYSAC (*New York State Association of Counties*) training which she found to be very informative. She remarked she was appreciative of the unanimous support from the Occupancy Tax Coordination Committee to start looking at a modification and proposal of both the scoring sheet and application process and she had been busy meeting with many different stakeholders in her attempt to develop a document that the Occupancy Tax Coordination Committee could review

in the near future. Lastly and probably most importantly in her mind, she advised October was Domestic Violence Awareness Month and if anyone had walked through the front of the building they would have noticed the commemorative bricks had begun to be placed in the walkway and she thanked Mr. Hajos and Frank Morehouse, *Superintendent of Buildings*, for their efforts to ensure the County's crime victims', some of whom were that of domestic violence and had lost their lives, were honored. She indicated she hoped they would be able to honor and hold a small COVID compliant ceremony with the District Attorney and others at some point in the near future.

Supervisor Beaty stated the County Facilities Committee had met on September 20<sup>th</sup>, approving proposed Resolution Nos. 366-368 and he provided a brief summary of each. He asked Mr. Hajos to speak to proposed Resolution No. 368, *Authorizing a Lease Agreement with Freer Ideas, Inc. to Conduct Flight Training, Aircraft Rental and Other Services Related to Conducting Business as a Flight Training Operator at the Warren County (Floyd Bennett Memorial) Airport*, which some of the Supervisors had expressed some concerns with.

Mr. Hajos stated Harrison Freer D/B/A Freer Ideas, Inc., had been operating a flight school at the Airport over the last ten years without a contract, as well as some rental of his airplane to licensed pilots. He apprised Don DeGraw, *Airport Manager*, had attended a seminar concerning having contracts in place and the type of insurance that was required to cover the typical accidents that could occur at an airport and other airports that had pilots who offered similar services there had contracts in place with them and ensured that had all of the necessary insurance in place. He informed the County had requested that Mr. Freer enter into a contract with the County for his operations which was only for flight training, as this was the only operation he was proposing to do at the Airport. He said based off of this the County's insurance company had requested that Mr. Freer provide a specific amount of insurance which for the most part he had provided with only a few minor issues, such as the lack of workers compensation insurance.

Supervisor Strough entered the meeting at 7:08 p.m.

Supervisor McDevitt inquired whether all of the insurance requirements had been signed off of by the County's insurance company and he asked if the contract with Mr. Freer was available to review and discuss. Mary Elizabeth Kissane, *County Attorney*, replied all of the insurance requirements had been met for the operation of a flight school and not the rental of Mr. Freer's aircraft. She said she sent a lease to Messrs. Moore, Hajos and DeGraw for review tonight before it was distributed to the full Board.

Supervisor Seeber stated she was happy to have dialogue about this, but she inquired whether Chairman Thomas would prefer she hold off on her comments until they held discussion on the resolutions and Chairman Thomas responded discussion on this matter could be held now. Supervisor Seeber advised she and many of the other Supervisors always tried to read contracts ahead of voting on them to ensure they were appropriate to move forward with on behalf of the County taxpayers and Ms. Kissane had been very responsive to her in terms of meeting and providing her with information; however, she noted, she felt strongly that they should not be voting on this without being able to review the contract given the complexities around this issue and if it was moved forward to a vote she would be voting in opposition. She remarked she was appreciative of everyone's time and effort and she was hopeful it could be worked out in a transparent manner that was best for the community, as well as the County Airport. She stated she felt it was premature to bring this matter forward when they had no notion of what was included in the agreement and she thought they should be able to review it before it was voted on.

Supervisor Magowan apprised his concern was that there was significant liability for the County and

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he wanted to ensure they did not rush into anything without ensuring the County was properly protected. He stated he would like the opportunity to review this contract because he still had some questions which was why he would be voting in opposition of proposed Resolution No. 368, *Authorizing a Lease Agreement with Freer Ideas, Inc. to Conduct Flight Training, Aircraft Rental and Other Services Related to Conducting Business as a Flight Training Operator at the Warren County (Floyd Bennett Memorial) Airport.*

Supervisor Beaty stated he would like to offer a compromise and hold off on voting on proposed Resolution No. 368 until the November 6<sup>th</sup> Special Board Meeting in order to be fair to Mr. Freer while also ensuring the Supervisors had time to review the contract, which was not available today, as he was concerned it would be voted down if they were to move forward with voting on it now and he did not want to delay Mr. Freer's opportunity to operate his business. He said Supervisor Braymer had made this suggestion to him earlier to allow the Supervisors to review the contract and ensure that their concerns had been addressed and they were comfortable moving forward with it. Chairman Thomas remarked he felt this was a favorable compromise which would allow the Supervisors a few weeks to review the contract before it was voted on. Supervisor Beaty inquired whether an amendment was required for this and Chairman Thomas replied Supervisor Beaty could make a motion to withdraw the proposed Resolution. Supervisor Beaty stated he did not want to withdraw it, as he would like Mr. Freer to have the opportunity to re-start his operation once the County had a signed contract in place and he asked if they could amend the proposed Resolution to indicate the matter would be revisited on November 6<sup>th</sup> to allow Mr. Freer to operate as soon as possible as long as the Board was agreeable to the terms of the contract. Chairman Thomas suggested Supervisor Beaty make a motion to table the proposed Resolution and then a motion could be made to un-table it when they were ready to discuss the matter.

A motion was made by Supervisor Beaty, seconded by Supervisor Magowan and carried by majority vote, with Supervisors McDevitt, Hogan and Geraghty voting in opposition, to table proposed Resolution No. 368, *Authorizing a Lease Agreement with Freer Ideas, Inc. to Conduct Flight Training, Aircraft Rental and Other Services Related to Conducting Business as a Flight Training Operator at the Warren County (Floyd Bennett Memorial) Airport.*

Supervisor Beaty remarked he was pleased to learn the Queensbury Town Board had decided against using the Town of Queensbury taxpayer money to sue a resident for exercising their first amendment rights which the Town was obviously in the wrong on and had no right to do. He informed the rights provided by the First Amendment were important to everyone and signaling out a resident of the Town was the wrong position to take. He added he was happy to note Supervisor Strough and the Queensbury Town Board had made the appropriate decision and decided to step away from challenging the First Amendment.

Supervisors Shepler and Geraghty indicated they had nothing to report on.

Supervisor Leggett apprised the Public Safety Committee had met on September 21<sup>st</sup>, during which they reviewed the 2021 budget requests of the Sheriff's Office, Office of Emergency Services, Fire Prevention and Building Codes Enforcement, Stop DWI and Traffic Safety. He said they had also met several times jointly with the Personnel & Administration Committee regarding the Director of Office of Emergency Services position from which two proposed Floor Resolutions would be brought forward at the appropriate time. He provided a brief summary of proposed Resolution Nos. 374-375 which were approved by the Committee at their September 21<sup>st</sup> Committee meeting. In regard to the Warren County Soil and Water Conservation District, Supervisor Leggett advised as noted in the news they were holding a "Warren County Tree Challenge" in cooperation with the County Planning & Community Development

Department, who would be putting it online.

Mr. Moore informed Mrs. Jones had provided him with a report on the data regarding the Coronavirus in Warren County which indicated there had been 979 mandatory quarantines, 545 precautionary quarantines, 1,593 travel quarantines, all of whom were being contacted and talked to everyday for several days in a row. He stated unfortunately their streak had ended with no new cases after five days in a row, with two new cases arising today that would be reported on tomorrow morning. He mentioned Don Lehman, *Director of Public Affairs*, was working in an attempt to remove Warren County from the travel restrictions for the State of Vermont since the County's figures regarding the Coronavirus continued to improve.

Mr. Moore recognized Cynthia Cameron for twenty years of service to the Department of Social Services.

Mr. Moore apprised as indicated by Supervisor Simpson an individual had been selected as the new Director of the Office of Emergency Services and they had accepted that offer of employment at the entry level salary of \$69,500. He stated their first day would be November 3<sup>rd</sup> as long as their appointment was approved by the Board this evening, apprising he was proud to announce that individual was Ann Marie Mason, who had over ten years experience working in the emergency management field. He advised as previously mentioned she had been selected out of a dozen great candidates who had applied for this position and four stellar finalists which made it a difficult to render a decision, as he had never been part of a recruitment process like this that produced so many qualified candidates. He said Ms. Mason had been the manager of risk management for Hudson Headwaters Health Network since 2018 where she handled emergency management, drills, training and planning for over nineteen locations, as well as incident investigations, root cause analysis and risk assessment. He indicated before that she worked for Union College and prior to that for 8.5 years she had been the Safety Compliance Coordinator and Chief Emergency Officer for the Queensbury School District where she became well versed in emergency planning for the School District. He stated there was a bomb scare during her tenure at the Queensbury School District and she had successfully lead an evacuation of the entire campus in a short amount of time and she had experience out there with the players of the County and would be a good, professional manager which was why they were happy to have her on board. He advised proposed Floor Resolution Nos. 1 and 2 concerned the position and Ms. Mason's appointment.

Mr. Moore apprised he dealt with questions everyday from businesses within the sectors that remained closed so he wanted to briefly go through them. He stated from a business reopening standpoint the fifty person non-essential gathering limit remained in place and there was no indication there was anything on the horizon to suggest that figure would be increased. He advised churches and restaurants were still being held at 50% capacity although there was some speculation restaurant capacity would be increased to 75%, but there was no indication from the State that this increase would be occurring anytime soon. He read aloud the business sectors that remained closed which was not all inclusive, but were the ones he had received the most frequent number of phone inquiries about as follows: arenas, amusement parks, go karts, trampoline parks, arcades, family fun centers, laser tag, skating rinks, theaters, hot air balloons, helicopter and airplane sight seeing, rodeos and billiard halls. He mentioned over the past two days he had received a significant number of inquiries regarding two recent announcements as to attractions that had been opened up in Essex County, one of which was the Cliff Side Coaster which was owned by ORDA (*Olympic Regional Development Authority*) and had been marketed as a year-round mountain coaster that was the longest of its kind in the Country and was opened up by the State on October 11<sup>th</sup>. He said he had received questions from the sectors that remained closed to why the Cliff Side Roller Coaster could be open, but amusements parks, family fun centers, go-karts, etc. could not be open which he felt was a valid question that he had raised with The



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Control Room following which there had been some back and forth discussion on the matter. He advised this attraction was similar to a go-karts, as the patrons rode in a cart that was sanitized after each ride to allow the next group to go down the track and when he pointed this out the reply he received was go-karts had several people using several karts at one time; however, he noted, they were looking into this and they recognized there may be some inconsistencies which he hoped would be resolved to allow businesses similar to this coaster to reopen.

Privilege of the floor was extended to Ms. Kissane to provide a report from the County Attorney. Ms. Kissane advised she 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 month of July 2020;
2. Albany Medical Center - 2019 Annual Report.

Other:

1. Capital District Regional Off Track Betting Corp. - 2019 Regular Benefit Distribution Payment #3 in the amount of \$2,101;
2. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 5 in the amount of \$656;
3. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 6 in the amount of \$656;
4. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 7 in the amount of \$656;
5. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 8 in the amount of \$659;
6. Capital District Regional Off Track Betting Corp. - July 2020 Surcharge payment in the amount of \$3,597;
7. Washington County - Resolution No. 198 of 2020, *To Approve the Lake Champlain Lake George Regional Planning Board 2021 Budget*;
8. Washington County - Resolution No. 199 of 2020, *To Adopt Adirondack Community College Budget*.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 364-396 were mailed; she informed there were two proposed Floor Resolutions to be addressed that were distributed to the members of the Board of Supervisors on October 14<sup>th</sup> which met the technical distribution date specified in the Rules of the Board and in order to entertain these items a motion and a simple majority vote for each was required to bring them to the floor. The necessary motion was made by Supervisor Simpson, seconded by Supervisor Leggett and carried by majority vote, with Supervisor Seeber abstaining, to bring proposed Floor Resolution Nos. 1 and 2 to the floor. Mrs. Allen announced proposed Floor Resolution No. 1 would now be referred to as proposed Resolution No. 397 which was subject to a roll call vote and proposed Floor Resolution No. 2 would now be referred to as proposed Resolution No. 398.

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

In regard to proposed Resolution Nos. 384, *Establishing Capital Project No. H402, Airport Snow Removal*

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*Equipment Building - Construction; Authorizing Transfer of Funds; and Amending Warren County Budget for 2020, and proposed Resolution No. 385, Establishing Capital Project No. H403, Rehabilitation of Airfield Taxiway Lighting System - Design; Authorizing Transfer of Funds; and Amending Warren County Budget for 2020,* Supervisor Diamond advised the supporting documentation for each indicated the County would be authorizing the County Treasurer to advance the funding for these two capital projects and he asked Mr. Swan whether this was grant funding the County had already received and if not what funding source would be used to advance these funds in order to establish these capital projects and Mr. Swan replied he was unsure. Mr. Swan suggested they ask Mr. Hajos, as he was usually aware of whether the funds were on hand or if the County would have to provide the funding up front and if the County did have to up front the money the funding source used would be the General Fund Unappropriated Surplus. Supervisor Diamond questioned whether this would require an appropriation from the General Fund Unappropriated Surplus and Mr. Swan replied that was not what the resolutions indicated. Mr. Hajos indicated this was Federal aid funding which always required the County to up front the money when they were established with the County Treasurer booking this money based on a past resolution and then the County sought after reimbursement after the fact; he added this was the way Federal aid projects were handled for over twenty years now by the County. He stated this was money that was being booked on, but was reimbursed by the granting agency. Supervisor Diamond apprised he understood the process and had his own experience with it, but his question was where was the funding being allocated from. He said his experience with projects of this magnitude, which he was not opposed to, was that the funds would be transferred from a specific dedicated account; however, he noted, the proposed Resolutions before them indicated they were authorizing the County Treasurer to transfer \$2,257,860 for one project and \$49,500 for the other, but no indication was given on what funding source would be used. He restated he was not opposed to these two Capital Projects, but he would like to know where the funding would be allocated from. Mr. Swan informed the funding was allocated from the General Fund Unappropriated Surplus. Mr. Hajos apprised the bottom line was the County booked the money on and they were paid for out of these capital projects whether the funding was from the Federal Government or the General Fund Unappropriated Surplus following which the County was reimbursed by the granting agency which in this case was the FAA (*Federal Aviation Administration*). Supervisor Diamond remarked he was comfortable moving forward as long as he was aware of where the funding was coming from.

Supervisor Wild apprised he had a question regarding proposed Resolution No. 370, *Resolution in Support of a "Green Amendment" to the New York State Constitution*, pertaining to the phrase "proactively protected" which was included in the proposed resolution. He said from an economic standpoint this could be interpreted as there would be more stringent environmental regulations that could impact the County's local businesses and he did not understand what that meant and he was curious whether there were such consequences as a result of those two words. He added he was seeking some insight regarding this before the proposed Resolution was voted on. Mr. Moore replied he was unsure, as he had no involvement with the proposed Resolution. Supervisor Wild advised with that in mind he was concerned about those words being included in the proposed Resolution primarily from an economic standpoint and being able to maintain the economy here and he asked whether this meant new and more stringent regulations would be in place which required some of the County's manufacturing plants to shut down. He said he was unsure if this was what that meant which was why he was bringing this up as a question for them to ponder.

In response to Supervisor Wild, Supervisor Leggett stated the proposed Resolution indicated the following: environmental laws were designed to manage pollution, clean up and remediate contamination. He said he interpreted proactively protected to mean they should take action before they needed to manage pollution, clean up and remediate the contamination.

Supervisor Wild informed individuals discussed green energy as being efficient; however, he noted, this was not necessarily the case, as he had a background in the wind energy industry where the wind turbine blades were hundreds of feet long; however, he noted, they were not recyclable causing them to take up a significant amount of space in landfills which was not green. He inquired how far this went and when did it stop in terms of the requirements. He voiced his support of clean air and water, but he wanted to ensure he was aware of where they were going with this and what were they signing on to.

Supervisor Braymer remarked she was pleased to note that Supervisor Wild was not opposed to a clean environment because proposed Resolution No. 370, *Resolution in Support of a "Green Amendment" to the New York State Constitution*, was indicating the County supported that from a policy standpoint. She said it was imperative for the government to protect the right to clean air and water proactively like Supervisor Leggett had indicated and not waiting until its too late and then it would have to be cleaned up. She informed these concerns had been discussed at the Environmental Concerns & Real Property Tax Services Committee regarding how there were issues out there that needed to be addressed; however, she noted, adopting the proposed Resolution did not mean those other issues did not have to be addressed, as well. She advised she felt Supervisor Wild was "nit picking" the wording when it pertained to a policy position the County would be taking and she believed it would be beneficial for the County to lead in this effort as they had earlier this year when they had adopted a resolution in support of clean water throughout the State and in particular Warren County. She said she felt it was important for the County to take a step forward and proactively state that the County was supportive of the Green Amendment which would allow the voters to decide whether they wanted to include this in the State Constitution which would protect residents from government action. She remarked she felt the Board would be supportive of the Green Amendment going before the voters for a decision.

Supervisor Wild apprised he concurred with Supervisor Braymer's remarks as long as they were provided the opportunity to educate everyone in terms of what the definition of proactive was.

Supervisor Seeber advised she had attended the Environmental Concerns & Real Property Tax Services Committee meeting where proposed Resolution No. 370, *Resolution in Support of a "Green Amendment" to the New York State Constitution*, was discussed and she was thoroughly impressed with the presentation which she thought was impactful and informative. She said following that meeting she had received a substantial amount of emails regarding this both in favor of its adoption and others that requested for it to be voted down, as well as some additional questions. She informed from face value this was a critical and essential priority that they were discussing this, but it would eventually become a State issue for the voters to decide. She stated Supervisor Braymer had mentioned policy positions and her questions pertained to the finances behind it, as there had been previous bills that went before the State with no funding attached to it and she questioned what type of funding was attached to a resolution such as this one, as it did not appear to reference any type of financial support or funding; she asked if this was something the Committee could consider adding into the proposed Resolution or was it being addressed in any manner for the proactive approaches that Supervisor Braymer had highlighted.

Supervisor Hogan clarified the County was not crafting the language of the Green Amendment here, as this was just a resolution of support. She said proactively protected was included in proposed Resolution No. 370, but it would not be involved with the Green Amendment. Next, she pointed out there had been a proposal for a bond act to support this, but due to the pandemic it was put on hold which she hoped would be brought back.

Supervisor Simpson stated there were many municipalities that were struggling to rectify in-equated wastewater treatment systems that in some instances had regulated overflows and he asked if this would create the opportunity for people downstream from those overflows to go after their local government and indicate they needed action today. He advised everyone was supportive of clean air and water, but they also required a solution to the issues. He informed they could adopt a number of resolutions with their demands, but what was really required were solutions because when these wastewater treatments plants overflowed those who lived downstream from them were negatively impacted and he was curious about what type of situation they were setting themselves up for with this kind of language.

Supervisor Strough apprised once he had given a speech entitled “why they needed a 29<sup>th</sup> Amendment” because it would be an amendment that addressed the residents rights to clean air and water, both of which were fundamental rights. He said his speech had indicated the health of the environmental state i.e. the water they drank and the air they breathed warranted their strongest legal protection which was the law. He explained the purpose of the Green Amendment was to begin that conversation regarding where they wanted to go with the environment and the impact their actions would have to future generations. He added passing a resolution in support of the Green Amendment would be a great starting point for this conversation and although he did not believe it would be adopted the way it was being proposed he was supportive of the concept.

Supervisor Wild informed he would like to propose an amendment to proposed Resolution No. 370, *Resolution in Support of a “Green Amendment” to the New York State Constitution*, to remove the wording proactively protected from it. He advised as he had previously stated he concurred with the concept, but he was wondering about the consequences, as there would be a cost associated with this and both the State and County were already under fiscal duress with their budgets. He said while he concurred with Supervisor Strough that they needed to protect the environment for future generations he was concerned about the proactive clause and he would like to see if he could garner enough support to amend the proposed Resolution to remove that phrasing and then he would be comfortable moving forward with this.

A motion was made by Supervisor Wild and seconded by Supervisor Braymer to amend proposed Resolution No. 370, *Resolution in Support of a “Green Amendment” to the New York State Constitution*, to remove the phrasing proactively protected from the proposed resolution,

Supervisor McDevitt stated he would be voting in opposition of the proposed amendment, as he believed they were nitpicking an important issue to death and ultimately the residents of New York State would be voting in mass to move forward with the Green Amendment

Supervisor Strough advised he was comfortable voting in favor of the proposed amendment regardless of whether they were critical of the issue and he urged Supervisor McDevitt to rethink voting in opposition of this despite the amendment. He indicated he was supportive of the amendment because it meant they would be getting more votes in favor of supporting the Green Amendment which was the purpose of the proposed resolution. Supervisor McDevitt responded to Supervisor Strough that he would be supporting proposed Resolution No. 370, *Resolution in Support of a “Green Amendment” to the New York State Constitution*, but he would be voting in opposition of the proposed amendment.

Chairman Thomas called the question and the motion to amend proposed Resolution No. 370, *Resolution in Support of a “Green Amendment” to the New York State Constitution*, as outlined above was carried by majority vote, with Supervisors Diamond, McDevitt and Seeber voting in opposition.

Supervisor Geraghty requested that a copy of proposed Resolution No. 370 as amended be distributed to the Board Members following the conclusion of the meeting.

Chairman Thomas asked Mr. Lehman if any public comments on the proposed Resolution had been received and Mr. Lehman replied there were extensive comments on proposed Resolution No. 370, *Resolution in Support of a "Green Amendment" to the New York State Constitution*.

Mr. Lehman read aloud an email from Kathy Peddler, *representing the Adirondack Mountain Club*, as follows: "Thank you for the work you do serving the people and communities of Warren County. I would like to ask you for your support of the New York State Green Amendment which had first passage by the State Legislature in 2019, Assembly Bill 204, Senate Bill 2072 and would be up for second passage in 2021 and would then go to a State-wide ballot vote in November 2021. This New York State Constitutional Amendment would add Section 19 to the Article One Bill of Rights as follows: Environmental Rights- Each person shall have a right to clean air, water and a healthful environment. On September 22<sup>nd</sup> the Warren County Environmental Concerns Committee unanimously passed a resolution in support of the New York State Green Amendment and we would be very appreciative if you would also support this resolution. Please also feel free to contact me if you have questions or you need more information". Mr. Lehman apprised he would forward this email on to the members of the Board for review. He informed Ms. Peddler also added in the chat on YouTube that this amendment meant the County was protecting its water and air when projects and laws were being created before pollution could occur. She continued, advising a Green Amendment would ensure that additional pollution was not added to the legacy issues that they had today. She indicated the Green Amendment would ensure decisions were made to keep water clean before an action was taken that may cause an environmental impact. She advised a Green Amendment would avoid unnecessary costs and save money because first and foremost what a Green Amendment did was ensure government considered environmental implications of decision making as part of the up front governing process. She said in this regard there was no increased out of pocket expenditures other than ensuring that environmental impacts were fully and fairly considered. She informed as a result of that reorientation to avoid harm a Green Amendment would save taxpayers, municipalities and States money because costs, health harms, loss of property values, diminished quality of life and other adverse impacts like pollution and environmental degradation which could be avoided through improved government decision making.

Mr. Lehman apprised there was also a comment from a user identified as Green Amendments for the Generations, which indicated they echoed Ms. Peddler's request and asked the Supervisors to support the right to a clean air and water and healthy environment. They stated a Green Amendment would actually avoid unnecessary costs and save money.

Mr. Lehman informed a question had been received regarding proposed Resolution No. 395, *Adopting Equalization Rates for Municipalities in Warren County for 2020*, which Supervisor Hogan may be best suited to answer. He advised Christopher Ogden was questioning why the Johnsbury equalization rate was so low in Resolution No. 395. Supervisor Hogan responded this was an excellent question and she explained the Town was currently undertaking their first ever assessment re-evaluation which was a two year process which would result in equities in their assessments in the near future.

Chairman Thomas suggested proposed Resolution Nos. 387-391 be voted on with one roll call vote since they all pertained to returning funding to the General Fund Unappropriated Surplus, the County Road Fund Balance, the Machinery Fund Balance and liquidating Assigned Fund Balances as part of the 2020 Deficit Reduction Plan. Supervisor Seeber apprised she was not opposed to this; however, she noted, she was requesting a roll call vote on proposed Resolution No. 391. Mrs. Allen apprised proposed Resolution No 391 was already a roll call vote and she suggested as an alternative they do one roll call

vote on proposed Resolution Nos. 387-390 to which no one voiced an objection.

Chairman Thomas called for a vote on resolutions, following which Resolution No. 364-398 were approved as presented with the exception of Resolution Nos. 368, which was tabled, 386, which was withdrawn, and 370 which was amended.

Supervisor Braymer asked for clarification purposes if the last resolution they took a roll call vote on was proposed Resolution No. 397, *Amending Table of Organization and Warren County Salary and Compensation Plan for 2020*, or proposed Resolution No. 398, *Appointing Ann Marie Mason to Serve as Director of the Office of Emergency Services*, and Mrs. Allen replied it was Resolution No. 397; Mrs. Allen advised a roll call vote was not required for proposed Resolution No. 398.

Supervisor Seeber apologized, as she mistakenly thought both proposed Resolution Nos. 397 and 398 required roll call votes, adding for the record she would have abstained from voting on both of them.

Chairman Thomas called for public comments from anyone wishing to address the Board on any matter, but no response was given. He asked Mr. Lehman if any comments from the public had been received and Mr. Lehman replied in the negative.

Chairman Thomas called for announcements.

Supervisor Braymer encouraged anyone who had not already done so to submit their responses to the 2020 Census this evening. Chairman Thomas noted the deadline for these submissions was tomorrow, but he believed they would be accepted until this Friday.

Supervisor Hogan encouraged everyone to attend the Last Piece Ceremony this Sunday, October 18<sup>th</sup> at 3:30 p.m. in the Town of North Creek regarding a mural on a series of retaining walls in a beautiful themed mosaic that artist Kate Hartley had worked on for over a decade. She noted the ceremony would require all attendees wear face masks and keep their social distance from one another and was being held to recognize Ms. Hartley's dedication to this project.

Chairman Thomas noted the next Board Meeting was scheduled for November 6<sup>th</sup> at 10:00 a.m. for the purpose of reviewing the Tentative 2021 County Budget.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Geraghty and seconded by Supervisor Magowan, Chairman Thomas adjourned the Board Meeting at 7:33 p.m.