

Regular Board
March 7, 2022 @ 10:00 am

Shaun Gilliland, Chairperson
Jim Monty, Vice-Chairman

Chairman Gilliland called this Regular Board meeting to order at 10:00 am, with the following supervisors in attendance: Clayton Barber, Robin DeLoria, Stephanie DeZalia, Derek Doty, Shaun Gilliland, Charles Harrington, Roy Holzer, Ken Hughes, Stephen McNally, Noel Merrihew, Jim Monty, Thomas Scozzafava, Matthew Stanley, Michael Tyler, Joe Pete Wilson, Davina Winemiller, Margaret Wood and Mark Wright.

Department heads present were: Michael Diskin, Jim Dougan, Judy Garrison, Dan Manning, Dan Palmer, David Reynolds and Heather Sheehan. Joe Provoncha was excused.

Deputies present: Matt Watts.

Also present: Linda Gilliland – Ben Wever Farm, Dylan Klepetar – Echo Farm, Racey Henderson – Reber Rock Farm, Alice Halloran and William Tansey.

News Media present: Tim Rowland - Sun Community News

GILLILLAND: I will call this meeting of the Board of Supervisors to order and we'll start with the pledge of allegiance please. Thank you and we'll start with roll call please. Thank you.

We passed a resolution last month and declared March as Agriculture month and so we look solely to agriculture which is a growing and valuable section or sector of our economy in Essex County. So along with us here today we have some farmers and some organizations that work with and represent farmers, if they could join me up here and for any members of the board who are farmers or were farmers if they could join me as well.

So as I said, this is a very important sector for Essex County and the State of New York. Farmers work hard they get up earlier and work longer than almost basically anybody else and I can say that from experience but I would like to read the resolution honoring our farmers.

The following resolution was offered by Supervisor Monty, who moved its adoption. Upon a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, March signifies a national celebration of the importance of food and agriculture in the United States, as it provides almost everything we eat and use each day. This month we recognize and celebrate the diversity and abundance provided by New York's farms and our growing food and agricultural sector and the contributions of Essex County's family farmers; and **WHEREAS**, there are 33,400 farms in New York State and 6,900,00 acres of operated farmland; and

WHEREAS, the agricultural industry in New York State contributed more than \$5.7 billion in agricultural economy sales to the New York economy each year; and

WHEREAS, with farmland occupying nearly one quarter of New York State's land area, agriculture also promotes New Yorker's quality of life in other ways, including providing access to fresh, locally sourced food, preserving open space and enhancing communities through farmer's markets and other such activities; and

WHEREAS, recognizing the month of March as Agriculture Month in Essex County provides the opportunity for all residents of Essex County and New York to better appreciate agriculture's breadth and beauty, how food and fiber products are produced, and the role agriculture plays in providing safe, abundant, and affordable products; and

WHEREAS, commemorating Agriculture month will build awareness of the benefits of the agricultural industry in Essex County and encourage young people to consider agriculture as a career; and

WHEREAS, it is urged that all New Yorkers join in recognizing the importance of our food and agriculture industry, to thank a farmer for providing the food we eat, and to help celebrate every month with meals made from a variety of New York State products.

BE IT RESOLVED that the Essex County Board of Supervisors hereby proclaims the month of March 2022 as Agriculture Month in Essex County and extends a special thank you to our farmers. The resolution was unanimously seconded and duly adopted.

So thank you very much to our hardworking farmers and realize how hard it is particularly what is going on overseas. You know Ukraine produces almost half the – the wheat produced in the world and they are not going to have a crop this year so you know, from all of us see food security and the security of us living depends on farmers and as you see what is happening in Ukraine, all of a sudden it could all change in a day and these people become the ones that sustain us. So, thank you for our Essex County farmers, thank you for our New York farmers and we are very appreciative of the work that each of you do and have done and I think I can speak for this board 100% behind you in expanding our farms and agriculture within Essex County. Thank you so much. I'd like to turn it forward very quickly to Dan Manning, for an introduction.

MANNING: Good morning everyone. I'm pleased to announce back in December, you gave me the authority to hire an Assistant County Attorney specifically, William Tansey and I have hired him as of March 3 of this year. Bill is seated over here, to the left of the dais and just a few, little basic facts about Bill so you can kind of get to know him. He's from Keene Valley. Bill graduated from the United States Naval Academy after that he went onto graduate from Syracuse University Law School. After law school he worked at the Advocate General's Office in the Navy in various capacities, he also practiced with a private firm in New York City, in Maritime law after that, I believe, I may have some of this wrong he came back he was employed by us as a Public Defender he did a fine job there in the Public Defender's office and now I'm very pleased he will be working with me. He's a very sharp and smart guy all hard questions should now go to him. I think you will find him very, very personable in everything he does so Bill, welcome and thank you.

GILLILLAND: Move to resolutions please.

RESOLUTION #56 – ACCEPTING, ADOPTING AND PLACING ON FILE POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS.

This resolution was moved by Mr. Merrihew, seconded Mr. Barber and adopted.

RESOLUTION #57 – AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS.

This resolution was moved by Mr. DeLoria, seconded by Mr. Hughes and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #58 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO BID FOR VARIOUS DEPARTMENTS.

This resolution was moved by Mr. Scozzafava, seconded Mr. Stanley and adopted.

RESOLUTION #59 – URGING NEW YORK STATE AND FEDERAL REPRESENTATIVES TO IMPOSE A 90-DAY MORATORIUM ON EXCESS TAX ADDED TO GASOLINE PRODUCTS.

This resolution was moved by Mr. Tyler, seconded Mr. Holzer and adopted.

RESOLUTION #60 – AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS.

This resolution was moved by Mr. Scozzafava, seconded by Mr. Tyler and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #61 – OF APPRECIATION TO DAVID D. SCAGLIONE, ESQ. UPON HIS RETIREMENT AS ESSEX COUNTY DEPARTMENT OF SOCIAL SERVICES ATTORNEY.

This resolution was moved by Mr. Merrihew, unanimously seconded and adopted.

RESOLUTION #62 – AUTHORIZING SALARY ADJUSTMENTS FOR THREE (3) ATTORNEY POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES.

This resolution was moved by Mr. Stanley, seconded by Mr. Monty and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTIONS #63 – AUTHORIZING THE HIRING OF A PART-TIME ACCOUNT CLERK IN THE MENTAL HEALTH DEPARTMENT.

This resolution was moved by Mr. Scozzafava, seconded Mr. Monty and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #64 – AUTHORIZING APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS.

This resolution was moved by Mr. Tyler, seconded Mr. Monty and adopted.

RESOLUTION #65 – AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACTS OR PURCHASE ORDERS.

This resolution was moved by Mr. Monty, seconded Mr. Scozzafava and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #66 – OF CONDOLENCE TO THE FAMILY OF ELOISE (HUME) ST. DENNIS.

This resolution was moved by Mr. Merrihew, unanimously seconded and adopted.

RESOLUTION #67 – DESIGNATING APRIL 2022 AS NATIONAL DONATE LIFE MONTH.
This resolution was moved by Mr. Monty, unanimously seconded and adopted.

RESOLUTION #68 – AUTHORIZING TO CHANGE THE PART-TIME PARAMEDIC POSITION TO A FULL-TIME POSITION IN THE EMS CONSOLIDATION DEPARTMENT.

This resolution was moved by Mr. DeLoria, seconded Mr. Holzer and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #69 – INTRODUCING PROPOSED LOCAL LAW NO. 2 OF 2022 ADOPTING A PLAN OF APPORTIONMENT OF THE ESSEX COUNTY BOARD OF SUPERVISORS, AND SCHEDULING A PUBLIC HEARING THEREON.

This resolution was moved by Mr. Scozzafava, seconded Mr. Hughes and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

GARRISON: Resolutions from the floor, everyone has a copy on their desks. Amending resolution No. 319 of December 27, 2021, entitled, “resolution for 2022 salaries for all management/confidential and certain department head employees and adopting the same.”

GILLILLAND: Can I have twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #70 - AMENDING RESOLUTION NO. 319 OF DECEMBER 27, 2021, ENTITLED, “RESOLUTION FOR 2022 SALARIES FOR ALL MANAGEMENT/CONFIDENTIAL AND CERTAIN DEPARTMENT HEAD EMPLOYEES AND ADOPTING THE SAME.”

This resolution was moved by Mrs. DeZalia, seconded Mr. Merrihew and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

GARRISON: Another resolution from the floor, from the Department of Public Works authorizing the purchasing agent to bid the cleaning and painting of all structural steel components of (3) bridges, in the Town of Keene, Town of North Hudson and the Town of Minerva.

GILLILLAND: Can I have twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #71 – AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID FOR CLEANING AND PAINTING OF ALL STRUCTURAL STEEL COMPONENTS OF THREE (3) BRIDGES.

This resolution was moved by Mr. Monty, seconded Mr. Wilson and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

GILLILLAND: Mr. Palmer has a motion from the floor.

PALMER: Yes, we missed Jennifer Mascarenas' appointment that ended December 31st. I usually like to try and get a year ahead in my appointments she apparently decided to fall behind but we need a resolution authorizing the appointment of Jenn Mascarenas as Personnel Officer for a new, six-year term that's what the Personnel Officer is from January 1, 2022 until December 31, 2027, at a salary of \$70,824.98 for the 2022 year.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #72 – AUTHORIZING THE APPOINTMENT OF JENNIFER MASCARENAS AS THE ESSEX COUNTY PERSONNEL OFFICER, TO A SIX (6) YEAR TERM BEGINNING JANUARY 1, 2022 THROUGH DECEMBER 31, 2027.

This resolution was moved by Mr. Scozzafava, seconded Mr. Stanley and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

GILLILLAND: I have a motion from the floor, this came up last week in light of agricultural month. The Governor released recently allowing or helping to fund by grant for improvements to farm worker housing and the counties or municipalities can apply for basically through the Office of Community Renewal or OCR just like a CBDG grant but they would, the State would prefer that these grants be managed essentially through the Community Resources and essentially what this grant would provide for is physical improvements for overcrowding, remediate environmental hazards within a household mold, weatherization projects, related to safety issues within existing housing and air quality improvements. So, we already had one fairly large farm in the county would like to apply for this, for their migrant work force housing and you know if the county is going to manage this then it would be open to county wide farmers. Essentially so what I'm looking for the resolution today is to support and apply for the application for a CDBG CV Cares Act funding for Farmworkers Safety Housing Grant and then we will advertise available county wide so do I have twelve to allow it on the floor? Thank you. So I will move it and I have a second from Mr. Tyler.

RESOLUTION #73 – APPLYING FOR AN APPLICATION FOR CDBG CV CARES ACT FUND FOR FARMWORKER SAFETY HOUSING GRANTS.

This resolution was moved by Mr. Gillilland, seconded Mr. Tyler and adopted.

GILLILLAND: Discussion? Being none, all in favor, opposed – thank you. Anything else to come from the floor?

MONTY: I'd like to offer a resolution of congratulations to the Boquet Valley Varsity Girls Basketball Team on their Section VII, Class D championship that they secured against a very tough, Schroon Lake Team on Saturday.

GILLILLAND: Twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #74 – OF CONGRATULATIONS TO THE BOQUET VALLEY CENTRAL SCHOOL GIRLS VARSITY BASKETBALL TEAM FOR WINNING THE SECTION VII, CLASS D CHAMPIONSHIP.

This resolution was moved by Mr. Monty, unanimously seconded and adopted.

SCOZZAFAVA: I'd like to offer a resolution of congratulations to the Moriah Boys Varsity Basketball Team, Section VII, Class C Championship, champions who had a very tough fight against Ausable Valley they did a great job and I hear it was a great game right down to the last basket.

GILLILLAND: Twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #75 – OF CONGRATULATIONS TO THE MORIAH CENTRAL SCHOOL BOYS VARSITY BASKETBALL TEAM FOR WINNING THE SECTION VII, CLASS C CHAMPIONSHIP.

This resolution was moved by Mr. Scozzafava, unanimously seconded and adopted.

GILLILLAND: Any other motions from the floor?

SCOZZAFAVA: Not a motion, I just want to give you an update as we all know March 10th will be here on Thursday which was D-day for Moriah Shock and I can tell you that behind the scenes there's been a lot going on especially with Jim Monty, I can't thank him enough for his help; Shaun Gillilland, Matt Simpson, Dan Stec a lot of people have been involved in this.

The one thing at this level that we were successful in one area was they've agreed not to do a full decommissioning of the facility in other words, they are going to do a soft closing which means, Jim, correct me if I'm wrong, they are going to leave the lights on, they are going to leave the heat on and they are going to keep the infrastructure going, they have a skeleton staff in place. They have shipped all the inmates to Lake View so right now there's no inmates in the facility. It's my understanding all the furniture has been put into the gymnasium but it's still there. We've been dealing with Marcos Soler from Public Safety and the last conversation that I had with this individual, Jim was with me, was that you know I don't know what and I don't want to give false hope but obviously they are looking at the facility for some kind of a use. I'm not certain to what that use would be but – and you know, I learned a lot through this as we went back through the numbers and we got the number through the Department of Corrections that was difficult to obtain but from 2015 on you can see the Moriah incarcerated population dropping, dropping yet Lake View was increasing, increasing on the Shock side because they were obviously getting all the inmates from, that would have went to Moriah and you know, Corrections won't say this but it's obviously, it's black & white Jim, you agree I mean, Lake View also houses medium security facility there and their incarcerated population there was beginning to decline so to keep their numbers up they weren't sending the inmates to Moriah they were sending them all to Lake View so I think the writing was on the wall. I think there's a lot of politics at play here, I don't think, I know there was a lot of politics at play here. I think that this decision was made by Corrections, by the Commission I don't believe, even though the Governor's legislation said it is the Governor's

call I don't believe that either Cuomo or Governor Hochul had anything to do with the final determination. I doubt that she's even aware of what the program is to be honest with you so, it's been a hard fought fight we're not giving up yet. I'm not giving up until, it aint over until it's over so but the key we have to focus on now is obviously keeping that facility from turning into a Gabriel's or turning into a Wilton and keep the lights on and see that if we can find some kind of a use for it in the future that benefits the Town of Moriah and Essex County but I do want to thank everybody on this board. You know, I think we were all shocked thinking they would never close that Shock Camp and again, politics being what they are we took the hit. The irony of it is that that facility, even though they don't want to hear this the fact of the matter is Governor Cuomo put that facility, Mario Cuomo in Moriah for one reason as he did a lot of the other North Country facilities was for the economic impact that they would have on the community, the positive economic impact. You know, now they are saying now it shouldn't be that way well, you know what? It is that way and it was that way and now they are going to drive more and more of us out of the Adirondacks. Period.

GILLILLAND: Thank you. Any questions for Mr. Scozzafava?

MONTY: I'd just like to add, not only the economic impact it has on the Town of Moriah each one of us sitting in these chairs today have seen what those crews do for your communities and the economic impact of all of those are going to be felt. DEC is going to feel the economic impact because who is going to open their campgrounds, who is going to open their boat launches and get them ready, there's so much deeper economic impact than the Town of Moriah and that's very important too Tom, I don't want to down play that but the economic impact is in fact for Essex County that's where it's really going to hurt and our comments on that have fallen on deaf ears in Albany, they don't want to hear it.

SCOZZAFAVA: Just one other thing I want to add, I've been in office for over three decades and I was there when they built that facility you know, Moriah we've always had a good partnership with New York State. We take care of the boat launch facility, we take care of the pier, we keep their trail heads plowed out along the Ensign Pond Road and the Tracy Road, we clean off the snow on their main street it's not my call it's up to the town board but I will tell you what New York State doesn't ever want to come to our community again asking for a favor because it aint happening. They came into our community and pulled the heart and soul right out of it and didn't even blink, didn't even bat an eye so it's a two-way street.

GILLILLAND: It's definitely a broken social contract with Essex County.

HUGHES: Tom, I have a question for you. What do you feel in your time in office and knowing this facility is the county's next best move to do something about this?

SCOZZAFAVA: I mean at this point in time, we're not sure what the plans are. I'm hoping that Corrections continues with some kind of a program there. I know there's talk about a list of jobs and there's other initiatives that are being proposed by the Legislature in this year's budget. I'm hopeful that Corrections continues to have some kind of operation there a facility whereby, Jim is looking into this for the town but we are hopeful that officers that were there, civilian staff that were there if this were to happen, would Corrections maintain some kind of a facility there that they can retrench back to this area so I mean, at this point in time I mean, I think Shaun has been doing this anyway but we need to let the Governor's office know that we're not happy with what they did here. You know, public safety has been excellent their representatives, we did meet with Corrections you know, they listened to us and that was just about the extent of it so – I mean, I

called the Executive Office numerous times probably two dozen times not even a reply. I served with five different Governors, maybe six if you count Spitzer he wasn't there that long but anyway you know, every one of those Governors at least had the decency to call us, three of them I met with personally on issues such as this, not even a call. Well, I can't afford \$10,000 a minute to meet with her I guess and that's what it takes, from what I read.

GILLILLAND: Anything else?

SCOZZAFAVA: I'm going to say it like it is and that's a fact all you have to do is pick up the Times Union and read it.

GILLILLAND: Yes sir.

DOTY: Tom, do you believe bail reform has a lot to do with the problems this State is looking at?

SCOZZAFAVA: Not in this situation because this program here would be political agenda the way it, the way it is soft on crime and so I mean, this is a program that was in place at work and I'm also finding that there's a number of inmates right now in the system that what was it Jim? Once they are down to three years they can transfer to Shock depending upon the crime there's a number of inmates out there that aren't even aware of that. I've got to tell you, I mean, I know that Shock program inside out Mr. Monty can tell you, he worked there at that facility, who would ever dream in today's political climate they would be closing that facility? I mean, it was unheard of where you go in and do six months, you get your drug, your alcohol, your GED verses doing what Jim? Two or three years in a regular jail?

MONTY: Three to five some of them three to life.

SCOZZAFAVA: I mean that's why it was so unexpected. Why are they closing it? And to take the inmates and the majority of them out of New York City area and to transfer them all the way across the State almost to Pennsylvania what is it? Seven, eight-hour drive, eight hours at least verses four and a half to Moriah? I mean, just a lot of politics went down here.

DOTY: I think you hit the nail on the head with Lakeside getting the inmates.

SCOZZAFAVA: Oh, absolutely all you have to do is look at the numbers.

MONTY: I think Derek some of the bail reform did have an effect on it frankly, we have services in Essex County that some of the people being arrested would be better served going to county jail because of the programs that Sheriff Reynolds has there, it's effected that as well. I think what you're seeing is they are down to about 50 some prisons in New York State every one of them are doing what they can to remain open. We still have a couple prisons in the North Country that are very short in capacity and I was surprised they weren't included in their closure list.

DOTY: Ours in that neighborhood.

MONTY: So everyone understands what I'm saying, everyone is looking to protect their own house so to speak so the information that should be doled out to the incarcerated individuals isn't necessarily being given to them.

GILLILLAND: I also believe just recently that the legislature I think, loudly voiced their disapproval

of the process and the appointments of Commissioners.

HUGHES: I would just like to make one more statement and I encourage all of us in this room and at the county to consider this, we have a hand, we've been dealt a hand and we want to play that hand the best we can and I encourage us to not play that hand from a position of victimhood or weakness. We have strength in this, we just have to find out what that strength is and if the county decides they want to put together a think tank or some type of committee of people just to brainstorm what is happening at Moriah Shock, I would be happy to be part of that and I'm sure there are others that would. I hate to base our future on the hope of the Department of Corrections and what they may do, I fear it is death by a 1000 cuts but certainly we have this incredible infrastructure in the Town of Moriah and in Essex County what is next? And I'm sure there are enough people in this room and in the County we could get together and put together those ideas and I would volunteer my time to do that.

SCOZZAFAVA: Thank you.

GILLILLAND: So if anybody is going to NYSAC next week, evidently the Governor will be there.

SCOZZAFAVA: I will be there.

GILLILLAND: Anything else on this subject? Mr. Manning has two or three resolutions.

MANNING: Just two quickly, as you recall you may or may not recall back at the end of 2020, just at the beginning of Covid we contracted with the Ticonderoga Revitalization Alliance to sell them a dilapidated building located in Ticonderoga on Montcalm Street. The building, the roof is caving in it was in really, really tough shape we actually did not take it in foreclosure the first time around because Mike and I felt that it was in such bad shape that it was going to cost the county more money to hang onto it and keep it safe and make any repairs than it would be to take it so we never took it when it was close to being foreclosed upon some time ago. Then we entered into this contract with the Ticonderoga Revitalization Committee and they agreed that they would buy it and they would give us the money. We actually have the money right now sitting in an escrow, it's been sitting there since July of 2021, when we signed the contract. What's happened now is the contract has expired, we need to re up the contract. We would like to re up it through August 31, 2022 of course. We're in a position now when Covid struck we had all these executive orders which morphed into actual laws where they put severe constraints on the ability to foreclose on residential, commercial and in our case tax foreclosure properties. There were all these hoops to jump through, all these notices that have to go out all these drop dead dates we couldn't do anything January 15 of this year was the last drop dead date so this was kind of put on hold in addition, the Ti Revitalization Alliance was trying to get money together so the reason I'm asking for this and I need your approval is we did agree back when we signed the contract in July of 2021, that they would pay the base amount of back tax for this building which at the time was \$35,608, now of course, with two years going by that base tax has increased to \$45,456, so it's about \$10,000 more in speaking with Mike we don't want this property, we don't want it hanging around, we don't want it around our neck like a millstone so it's our recommendation that we stay with this \$35,000 figure, we will never get it at least my opinion and Mike's opinion is we'll never get it if we try and sell this building at foreclosure and again, this is a burden in hand for us because if we were to take it in foreclosure it's now ours and we've got this piece of garbage, no offense but this was the old Cunningham property so we have this, it's ours now if we take it and if we can't sell it to anybody, we can't get rid of it then we have that albatross to take care of it so taking all those things in consideration, I would like a resolution extending the contract to August 31,

2022, at the same purchase price.

GILLILLAND: Twelve to allow it on the floor?

GARRISON: Yes, we do.

GILLILLAND: Thank you, I need a motion from the floor.

RESOLUTION #76 – AUTHORIZING THE EXTENSION OF A CONTRACT BETWEEN THE TICONDEROGA REVITALIZATION ALLIANCE AND ESSEX COUNTY THROUGH AUGUST 31, 2022, RELATIVE TO THE SALE OF PROPERTY LOCATED AT 108 MONTCALM STREET, TICONDEROGA, NEW YORK.

This resolution was moved by Mr. Wright, seconded Mr. Stanley and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

GILLILLAND: Discussion? Being none, roll call vote. Thank you.

MANNING: Thank you and the second one is just a housekeeping resolution. In December, you authorized me to hire Bill Tansey at a salary of \$100,000 and he did not start until March 3, so as you recall we set everybody's salary management confidential and employees' salaries so I would simply like a resolution setting William Tansey's salary at \$100,000 for the year 2022.

GILLILLAND: Twelve to allow it on the floor?

GARRISON: Yes, we do.

GILLILLAND: Thank you, I need a motion from the floor.

RESOLUTION #77 – ESTABLISHING THE SALARY OF WILLIAM A. TANSEY, ESQ. FOR THE PERIOD OF MARCH 3, 2022 THROUGH DECEMBER 31, 2022 AT \$100,000 PER YEAR.

This resolution was moved by Mr. Scozzafava, seconded Mr. Merrihew and adopted upon a roll-call vote as follows:

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

GILLILLAND: Discussion? Being none, roll call vote. Thank you. Any other motions from the floor, if not I'd like to turn the floor over to Mr. DeLoria of some news from late last week.

DELORIA: Like the saying, I've been working on the railroad but I won't start with that. I did attend the auction of the rail line last Wednesday and it was my first experience at an auction. I do want to tell you about that because there was a stumbling block that occurred on the onset of it and what it was we had three entities bidding on this railroad there was Sierra Rail, there was Revolution Rail and Edward LaScala from Rev Rail is here today and then there was Carol McLean Wright from Doc N Duchess Rails LLC well, before the first hand went up to bid on this Sierra objected to the fact Revolution Rail, RR and I'll refer to DD as Doc N Duchess Rail they didn't feel that they were qualified bidders essentially they asked the trustee to not permit them to

bid on it so naturally, Bill Brant, he's a railroad guy, he said, well that's not going to happen this has already been approved by the bankruptcy Judge Thomas McNamara. Well, the bidding started and again, up towards the price kept going up Sierra once again objected to the fact that these two entities were also bidding and they said complaint noted, and he moved on so at any rate, they kept bidding on this which was kind of bizarre because if you're going to object to a procedure part of the bidding essentially they started bidding against Carol McLean Wright and I'll tell you this woman had a string up to her hand, she was just bidding this out well, they dropped out at \$2.1 million but they bid it up to that so at the end of the day the bid actually went to Doc N Duchess Rail for \$3,330,000 okay, so where we are at today we're not really certain how this is going to play out with the Service Transportation Board, I don't take anything for granted to tell you what my first action was I reached out to Commissioner Seggos this morning and he got back to me right away because they've got this environmental issue of these tanker cars which was canola oil, I'd like to make that part of the record it wasn't hazard material it was canola oil and the mice would have loved it but at any rate, you know we need to put that at bay I think. I think we need to extend an olive branch to them. I believe that they are going to need an excellent strategy so if we could turn the clock back to a point in time where DEC was willing to sign an agreement with Omi Tracks which was postponing it to simply not store these tanker cars that's what I'm attempting to do so I'll be working on that.

So, back to Sierra, they had a public hearing which would have been 4:30 New York time after the auction went through as a standard procedure and Sierra once again objected to these people bidding on it so essentially, I thought it was bush league stuff. You know, you come to the auction, you bring your check book and now you're whining and complaining because you want to buy it out right and not let anybody else have a chance for it and it was really bad and it was even more bad on Friday before I left to see my son I get a call from Sierra Rail asking what I thought about them filing before the Service Transportation Board this same complaint and I tell you, I wish I could have been in the same room because I don't think he liked my response and I told him absolutely not. I said, you guys wanted it you should have bid on it and become the high bidder. I'm not going to support you and essentially I told them, I said you're throwing the baby out with the bath water here you know, what are you going to do that these people are going to do differently or Rev Rail, what would they have done if they were the high bidder? You see? So, he indicated to me well, I can't tell you what my uppers are going to do with this but I won't be involved with it. Well, I'm going to send out a letter to them this week and I'm going to reiterate my decision and yeah, I think it's pushy. They want it but.

So, where we are at today is it's going to auction that has the high bidder. There's isn't a closing, the ultimate happens. I think everybody in this room knows me to be that way but it's not finished yet I think we won the battle okay but we haven't won the war and as far as DEC and OSI I think that, OSI is out of the picture at this point. We actually believe, I believe anyway that DEC will come on board and work out something before closing because that was a big quest to them. I know what their situation is and why they got involved with them but we're beyond that now. It's time to put our big boy pants on and work together as a team.

I do personally believe that this Doc and Duchess, John and Carol Wright I believe they are the real thing. I believe they've got a considerable financial backing, they are looking at the aggregates of titanium that was left at the mines and Lord knows there's a lot of titanium there. They are not mining it as such because mining titanium would be open pit and what will take is Uncle Sam to come back in there, condemn the whole area once again and then do it that way because essentially Tahawus was built by the Federal Government back '42 they built the rail line, they built the plant, they built the housing for the people that lived on the site until '63 at which time they literally up and moved the village because they needed a place to pile waste on so the aggregate is there, they see that and they've done geological studies and they seem to have all their ducks in a row so to speak and I believe this is all going to work out. They are absolutely

convinced to work out with Revolution Rail so that we can maintain their existence on that lower line and even possibly the potential exists to move them to the upper end of that line to operate out of the switch area on a short excursion down to the old west bridge which crosses the Hudson River and then run a short excursion there on that so you know, the potential of economic development is here and I'm just crossing my fingers on that, I really am. And does it create more work for me? Absolutely but I love it. I love every minute of this. I've been involved in this since 2018, so for four years it's been an uphill battle I mean, everybody knows that. You have to protect the Adirondacks, the Disney cast of characters and you've got them against us and they really, they just like to muddy the waters you know so nobody can see the bottom but we've been fairly successful so far keeping them at bay and I expect them to file under this 801261 which is the abandonment case but here's what is going to happen because the line has a potential buyer and a closing date that has been set, once that happens the Service Transportation Board will say bye-bye to 801261. I'm hoping that we can get the State to support this whole project and they themselves would draw up their own application for the venue. I think that it would show that we're willing to work with us, maybe not Moriah but work with us. I think they want us to turn the lights out when we leave you know, that's the old line chat here but again, Edward do you have any comments that you would like to add? If you do, you have to come up to the microphone.

GILLILLAND: Courtesy of the floor. Moved by Mr. Scozzafava, second by Mr. Stanley. Thank you.

LASCALA: Good morning. I'm Edward LaScala with Revolution Rail. I was at the auction. First of all, I want to thank everybody for taking some time to letting me come up and speak. It's a real honor to be here with the County of Essex because it's very clear that the County of Essex knows that the economy and the ecology of the Adirondack Park are not mutually exclusive and I think that while we had hoped to win this auction we're very comfortable with Doc and Dutchess because we think that they can be great stewards of this corridor as we feel Revolution Rail would be and we hope that Revolution Rail will have the opportunity to work with them as we have in other areas all through the country now to bring economic prosperity while also preserving the natural beauty of the park so they seem very committed to that so we're really excited and we hope to continue our run on the tracks from North River up to the Boreas turn around over the trestle but also, as Robin mentioned to come down from Tahawus to the Opalescent Bridge, turn around and come back and I think that would be a great draw to this area. We bring, last year we brought 50,000 people into the North Creek area there's no reason we can't bring that number up here. So, thank you very much.

GILLILLAND: Thank you so much.

DELORIA: Okay so in conclusion here, there's going to be resolutions typed up when we get closer to the closing and we'll certainly come to the board to support those resolutions. I'm going to dig back to 2012, when there was this whole list of the towns and villages and associations that supported this - getting into the railroad which simply failed but hey, not everybody is a good business person you know all these groups I'm sure they will step up to the plate and get those numbers again. I'll be back.

GILLILLAND: Thank you. Is there anything further to come before this board? Being none, we are adjourned.

As there was no further discussion to come before this regular board meeting it was adjourned at 10:50 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors