

WAYS AND MEANS COMMITTEE
Monday, January 25, 2021 - 10:00 AM

Clerk's note – This meeting was held virtually.

James Monty, Chairperson
Thomas Scozzafava, Vice-Chairperson

Chairman Monty called this Ways and Means Meeting to order at 10:00 am with the following Supervisors virtually in attendance: Clayton Barber, Robin DeLoria, Archie Depo, Stephanie DeZalia, Shaun Gilliland (in person), Joseph Giordano, Charlie Harrington, Roy Holzer, Kenneth Hughes, Steve McNally, Jim Monty (in person), Noel Merrihew, Jay Rand, Tom Scozzafava, Jeffrey Subra, Ike Tyler, Joe Pete Wilson and Davina Winemiller.

Department Heads present: Dan Palmer (in person) Patty Bashaw, Laura Carson, Jim Dougan, Judy Garrison and Michael Mascarenas.

Also virtually present: Sun News - Tim Rowland, Keith Lobdell, Linda Wolf, Dan Tedford and Max Thwaites.

MONTY: I will open the meeting with a salute to the flag. Thank you. Roll call, Judy. Thank you Judy before we get started into resolutions I'm going to ask Shaun to give us an update on Covid.

GILLILLAND: I talked to Linda this morning I was also on a call with the vaccine Hub, we have three days a week, 7:30 in the morning calls with the Hub with all the north country. Linda ordered 1000 vaccines for this week and she received yesterday notification that we will get 100. Every small county in the North Country is getting 100 per week. So it means that our 1B population is going to be very slow to get vaccinated. Linda is going to concentrate basically on law enforcement this week on those 100 vaccines. There's no indication from the State that they're going to, that there's going to be any increases in supply coming but that's pretty much I guess a national issue except for the State is likely to be opening up more State vaccine sites which do drain away the vaccines from our Public Health Department and others and this one will probably be somewhere in Warren County. None of the hospitals that I heard from this morning from here, all the way from Jefferson County or health networks were going to get any vaccine this week. So, it's basically a drip is coming to us.

Also over the weekend in the news and stuff released from the Governor concerning, allowing with the authority of the local Public Health Department the restart of high risk sports, youth sports such as basketball, football, wrestling and others like that hockey, those kind of things and so Linda is meeting with all the Superintendents in Essex County. She is going to be talking with the Public Health Directors for the entire region as well and probably I would imagine that she's going to come out with a recommendation on it you know, trying to look for a region wide because our youth sports or high school sports go out of the county, a number of things. Now one of the issues with that that everybody has to realize is if a school goes remote, the athletic program shuts down so no practices, no games. I'm not exactly sure how you're going to have a basketball season when that happens when in Clinton and Franklin county there are a significant number of school districts that have not opened yet from Christmas. So, this is not an easy restart. I would recommend we just let Linda and the health departments run the course on this, and we'll get the word in the next day or two what their recommendation is.

MONTY: Any questions for Shaun?

SCOZZAFAVA: I have a couple. Shaun, on the number of vaccines that we're receiving like the 100, I'm assuming that means Public Health will get 100, that 100 doesn't include Hudson Headwaters or pharmacies, in other words we're not just getting 100 for the entire county, am I correct in that assumption?

GILLILLAND: As of right now, what we know, we're only getting 100 in Essex County this week. None of the hospitals have had any indication that they are getting it and we do not know about the pharmacies because they are informed through another channel. The rule is that no entities are allowed to make appointments unless they have a confirmed number of vaccines so that means a letter from the State or an email from the State you are confirmed for this many vaccines.

SCOZZAFAVA: So, I'm sure all of us get a number of calls from our constituents on the 75 and older where are they, when are they going to be in line? I mean, I know they've been doing emergency services, now they're doing police officers and so on. I mean statistics show that the most vulnerable population is that group, 75 and above. We should be doing everything in our power to try to get that group, start getting them vaccinated.

GILLILLAND: The Public Health Departments are restricted from doing that group. The 65 and older are supposed to go to the pharmacies and the State sites.

SCOZZAFAVA: Not good but that's good to know, I did not realize that.

MONTY: Anything else for Shaun?

SCOZZAFAVA: Just lastly, on the school sports so the final decision on this and obviously recommendation from our Public Health Department but as the Board of Health do we make the final call on this? Is that up to the Board of Supervisors as the Board of Health?

GILLILLAND: Yes because we are the controlling agent over the local health department, yes it civically says local health department so you know but I also believe that we should let them come to a countywide or region wide decision.

SCOZZAFAVA: Absolutely and I'm glad to hear that the schools are involved with public health so that we can make an informed decision. Alright, thank you.

MONTY: Thank you Shaun. Judy, moving onto resolutions.

HUMAN SERVICES

Monday, January 11, 2021

Chairman – J. Giordano Vice-Chairman - C. Harrington

- 1. RESOLUTION OF APPRECIATION TO CHERI REYNOLDS FOR ADMINISTERING THE DEPARTMENT OF SOCIAL SERVICES CHRISTMAS PROGRAM FOR OVER THIRTY (30) YEARS. Giordano, unanimous**
- 2. RESOLUTION OF APPRECIATION TO JACKIE THOMAS, RENEE BAER, SUSAN HATHAWAY, VANESSA CROSS, CHRISTINE PALMER AND THE SHERIFF'S**

DEPARTMENT FOR ALL THEIR HARD WORK AND ASSISTANCE IN THE TOYS FOR TOTS PROGRAM 2020. Holzer, unanimous

PUBLIC SAFETY

Monday, January 11, 2021

Chairman – S. McNally Vice-Chairman – I. Tyler

- 3. RESOLUTION OF APPRECIATION AND CONGRATULATIONS TO DEBBIE DONALDSON UPON HER RETIREMENT FROM ESSEX COUNTY GOVERNMENT. DeZalia, unanimous**
- 4. RESOLUTION AUTHORIZING THE EMERGENCY SERVICES DEPARTMENT TO APPLY FOR AND ACCEPT 2019 HAZMAT CONSORTIUM GRANT. Holzer, Rand**
- 5. RESOLUTION AUTHORIZING THE PURCHASING AGENT TO HIRE BEARCOM COMMUNICATIONS TO ENABLE IAMRESPONDING TWO TONE DETECTION IN THE AMOUNT OF \$7,290.00, WITH FUNDS TO COME FROM THE RADIO PROJECT. Subra, Depo**
- 6. RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD BID TO LIGHTSPEED TECHNOLOGIES IN THE AMOUNT OF \$213,033.10, FOR THE MONKTON RADIO PROJECT MICROWAVES WITH FUNDS TO COME FROM THE SIG17 INTEROPERABILITY GRANTS AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT FOR THE SAME. Giordano, DeZalia**

MONTY: Discussion?

SCOZZAFAVA: Dan, this grant now is that a spend then get reimbursed or is that money already in place?

PALMER: No, it's a spend and then get reimbursed but it's an ongoing, the SIG grants are something that goes on every year. You're allowed to allocate those to emergency services type programs. The department plans those each year and for this particular case they planned it for this Monkton project.

SCOZZAFAVA: Okay so there's no chance of this being cut out from under us?

PALMER: No, this is Federal money I'm not concerned about this.

SCOZZAFAVA: Okay, good. Thank you.

MONTY: Anything else? Any other questions? No other questions, signify by saying aye, opposed – carried.

- 7. RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE A TWO-LANE DRIVE THROUGH VACCINATION/DECON SHELTER IN THE EMERGENCY SERVICES DEPARTMENT, IN THE AMOUNT OF \$44,710.49, FROM PROPAC, INC.**

WITH FUNDS TO COME FROM HAZMAT SHSP-18 GRANT AND PUBLIC HEALTH DOH COVID GRANT. Tyler, Rand

- 8. RESOLUTION IN SUPPORT OF THE COUNTY OF ESSEX EMERGENCY MEDICAL SERVICE IN APPLYING FOR A PERMANENT CERTIFICATE OF NEED. Subra, Holzer**
- 9. RESOLUTION OF CONGRATULATIONS TO SENATOR CHARLES SCHUMER ON BECOMING SENATE MAJORITY LEADER. Gilliland, unanimous**

ECONOMIC DEVELOPMENT

Monday, January 11, 2021

Chairman – I. Tyler Vice-Chairman – R. Holzer

NO RESOLUTIONS

DEPARTMENT OF PUBLIC WORKS

Tuesday, January 19, 2021

Chairman – R. DeLoria Vice-Chairman – A. Depo

- 10. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR THE COUNTY MANAGER TO EXECUTE ANY AND ALL EASEMENTS AND RIGHTS OF WAY RELATED TO THE WATER STREET OVER THE BRANCH BRIDGE REPLACEMENT PROJECT IN THE TOWN OF ELIZABETHTOWN AND ALL ASSOCIATED DOCUMENTS NECESSARY TO EFFECTUATE PAYMENT TO THE PROPERTY OWNERS IN AN AMOUNT UP TO \$10,700.00, WITH FUNDS TO COME FROM BUDGETED FUNDS. Barber, Rand. Merrihew - abstain**

MONTY: Discussion?

WINEMILLER: I have a question. Is that \$10,700, the total amount or is that for each?

PALMER: No, that's the total amount for the, I think it's four homeowners and that's the amount that we need to pay all of them so that's a combined amount.

WINEMILLER: Okay, thank you.

SCOZZAFAVA: How are those amounts determined?

PALMER: Is Jim on? I think it's a negotiation. Jim, are you on?

DOUGAN: Yeah, I'm on. That's a Federal aid project so we've hired an appraiser to follow the Federal aid process so the appraisal was done on the amount of area that's going to be turned over to the county as a permanent easement.

SCOZZAFAVA: Okay, thank you. So I'm assuming that every easement across different properties is the same amount, so much per foot?

DOUGAN: No, you're generally correct in the per square foot price Tom but one of the property

owners is providing significantly more space so they're receiving a higher dollar amount than the others. They all vary slightly.

SCOZZAFAVA: Okay, thank you.

MONTY: Anything else? Nothing else, all in favor signify by saying aye, opposed –

MERRIHEW: As Noel Merrihew, I will abstain from this vote. Thank you.

MONTY: Thank you Noel. Duly noted, Supervisor Merrihew abstained. Thank you.

11. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CHANGE ORDER WITH REALE CONSTRUCTION, INC. IN THE AMOUNT OF \$66,668.12, FOR ADDITIONAL ROCK REMOVAL, CHANGES TO CONCRETE ABUTMENT AND CHANGES TO COFFERDAM AND DEWATERING FOR THE TROUT BROOK OVER MINERVA STREAM BRIDGE REPLACEMENT PROJECT WITH FUNDS TO COME FROM BRIDGE BOND. DeLoria, Rand

12. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH CPL ARCHITECTURE IN AN AMOUNT NOT TO EXCEED \$25,000.00 FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE ESSEX COUNTY COURTHOUSE ROOFTOP REPLACEMENT PROJECT, WITH FUNDS TO COME FROM BUDGETED FUNDS. Harrington, Scozzafava

13. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH CREIGHTON MANNING ENGINEERING, LLP IN AN AMOUNT NOT TO EXCEED \$16,000.00, FOR PRELIMINARY ENGINEERING, SURVEY, SUBSURFACE INVESTIGATION AND GEOTECHNICAL EVALUATION SERVICES FOR THE ENSIGN POND ROAD SLOPE FAILURE PROJECT IN THE TOWN OF MORIAH WITH FUNDS TO COME FROM BUDGETED FUNDS. Scozzafava, Rand

DELORIA: Mr. Chairman, Jim Dougan just sent me a quick text and he said the amount in resolution #11, is incorrect and it's supposed to be \$60,668.12.

PALMER: We will just do a correction. This is ways and means and we'll do a correction for regular board.

DELORIA: Okay thank you.

GARRISON: I made note of it. Thank you.

14. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH CREIGHTON MANNING ENGINEERING, LLP IN AN AMOUNT NOT TO EXCEED \$42,000.00 FOR PRELIMINARY ENGINEERING, SURVEY, SUBSURFACE INVESTIGATION, GEOTECHNICAL EVALUATION, HYDRAULIC EVALUATION, ENVIRONMENTAL DOCUMENTATION AND PERMITTING SERVICES FOR THE ENSIGN POND ROAD

TWIN CULVERT REPLACEMENT PROJECT IN THE TOWN OF MORIAH WITH FUNDS TO COME FROM BUDGETED FUNDS. Scozzafava, DeLoria

- 15. RESOLUTION AUTHORIZING THE TRANSPORTATION DEPARTMENT APPLY FOR AND ACCEPT FEDERAL TRANSIT OPERATING ASSISTANCE IN THE AMOUNT OF \$162,000.00 AND SES OPERATING ASSISTANCE IN THE AMOUNT OF \$285,000.00 AND FURTHER AUTHORIZING A BUDGET AMENDMENT FOR THE SAME. Barber, Giordano**

MONTY: Discussion?

HUGHES: What is the money that we're receiving going to be used for?

PALMER: Mr. Dougan, can you answer that please?

DOUGAN: Yes, the SES money is specifically for employment services so honestly, we don't have an exact plan for it yet. This is a new announcement from the Feds, we don't normally see it. It's normally State pass through money that we receive and the \$162,000, for operating assistance will probably go toward, we've been working towards getting a storage facility to keep the buses under especially in the wintertime it's real hard to get snow and ice off of the top of a bus and we've been slowly building up a fund from those State Transportation funds so it most likely will go to that. Like I said, this is fairly new and they suggested we apply for it right away and honestly we'll have a better plan if we know we will get it.

HUGHES: Great, thanks so much.

MONTY: Any further discussion? No further discussion, all in favor signify by saying aye, opposed – carried.

- 16. RESOLUTION REQUESTING THE BUILDINGS AND FACILITIES TASK FORCE COMMITTEE PROVIDE A NEEDS ASSESSMENT REPORT AS IT RELATES TO THE CORNELL COOPERATIVE EXTENSION BUILDING LOCATED IN THE TOWN OF WESTPORT. DeLoria, Tyler**

PERSONNEL

Tuesday, January 19, 2021

Chairman – S. DeZalia Vice-Chairman – J. Giordano

- 17. AMENDED: RESOLUTION APPOINTING ~~STEPHEN FEINBLOOM~~, DAVID LALLY AND MARGARET ATKINS TO SERVE FIVE-YEAR TERMS ON THE ESSEX COUNTY ETHICS BOARD. Scozzafava, Hughes**

MONTY: One moment please, Mr. Tedford.

TEDFORD: Good morning everyone. I just wanted to ask for an amendment to this resolution to remove the name of Mr. Feinbloom. He simply, withdrew his interest for participating on the ethics board and it's my intent to circulate the qualification of some additional perspective members here

very shortly, to fill the last position.

MONTY: Motion to amend, motion by Mr. Giordano, second by Mr. Hughes. Discussion on the amendment? No discussion on the amendment. All in favor signify by saying aye, opposed – carried. Motion for the amended resolution. Motion by Mr. Scozzafava, second by Mr. Hughes. Discussion? No discussion. All in favor signify by saying aye, opposed – carried.

18. RESOLUTION APPOINTING MR. TYLER, MR. DELORIA, MR. HUGHES AND MR. WILSON TO DRAFT WORDING FOR A RESOLUTION OF CONDEMNATION OF THE ATTACK UPON THE NATIONAL FEDERAL LEGISLATURE. Rand, Harrington

MONTY: Ken, would you just like to read your resolution to the board?

HUGHES: Sure. I'll actually put it up on the screen if you can all see that? Mr. Monty do you want me to read it?

MONTY: What's the wishes of the board? Has everyone had a chance to review it I guess?

HUGHES: Most likely, not.

MONTY: Go ahead then Mr. Hughes.

HUGHES: Okay. This is a resolution of the Essex County Board of Supervisors condemning the unlawful entry into the United States Capitol Building in Washington, DC. On January 6, 2021.

WHEREAS, on January 6, 2021, the 117th United States Congress legally convened in the U.S. Capitol Building in Washington D.C. to conduct a ceremonial opening of sealed certificates from each State, containing a record of their respective electoral votes for the 46th President of the United States; and

WHEREAS, what began as a Constitutionally protected organized but peaceful protest in opposition to the authority granted to the United States Congress, protesting the validity of the Electoral College Votes and challenging the election results; and

WHEREAS, the protest soon provoked a mob of rioters which stormed the Capitol building, physically forcing their way past Capitol Police officers, causing the Officers to retreat into the Capitol building, barricading the interior doors behind them; and

WHEREAS, this violent group of protesters continued their unlawful invasion beyond the established perimeter of security barricades, ultimately breaking through doors and windows, they did enter the Capitol building, destroying, and ransacking Congressional offices, causing the members of our United States Congress to immediately evacuate their respective chambers and suspend lawful Constitutional proceedings; and

WHEREAS, five people died and over 50 people were injured as a result of the violence; and

WHEREAS, the peaceful functioning of our democratic governance at all levels is paramount to our survival as a nation; and

WHEREAS, each American citizen is to be witness and therefore defend the foundational beliefs of our democracy, namely truth, justice and integrity; and

WHEREAS, our American democracy, calls upon its citizens to actively and peacefully engage in civil debate "in order to form a more perfect union," but never with malice toward a fellow American as this is a direct affront to the ideals onto which our American fabric has been woven; and

WHEREAS, our democratic values of life, liberty, self-government, equality, individualism, diversity and unity must be routinely affirmed and personally exemplified in both word and action so to keep stoked the fires of this cherished promise of government ... of the people, by the people and for the people.

NOW, THEREFORE, BE IT RESOLVED, the Essex County Board of Supervisors supports the right of all people to peacefully assemble and to petition the Government for redress of grievances, providing these rights are executed in a manner that does not violate the law; and

BE IT FURTHER RESOLVED, the Essex County Board of Supervisors having taken a solemn oath to support the Constitution of the United States and the Constitution of the State of New York, we therefore, unanimously find, that the unlawful intrusion into the United States Capitol building and the seditious acts of violence that occurred, are a direct attack against the fabric of our democracy, and a desecration of our shared Constitutional rights granted by the United States Constitution; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors condemns the storming of the United States Capitol on January 6, 2021, as an attack on democracy, and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors calls on all its representatives at the local, State, and Federal level to condemn this heinous act of violence; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors stands by the election process and election results as conducted by Essex County Board of Elections in the November 2020 election; and

BE IT FURTHER RESOLVED, the Essex County Board of Supervisors hereby requests the Clerk of the Board to send this resolution to: Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congresswoman Elise Stefanik, State Senator Dan Stec, State Assemblyman Matt Simpson, and to other persons or entities so desired by this Board.

MONTY: Thank you Ken. Any questions, comments?

HARRINGTON: I think that is a wonderful resolution.

DEZALIA: Very well written.

MONTY: Anything else? Nothing else, all in favor – opposed, unanimous thank you.

FINANCE/TAX REDUCTION/MANDATE RELIEF

Tuesday, January 19, 2021

Chairman – T. Scozzafava Vice-Chairman – N. Merrihew

19. RESOLUTION ACCEPTING, ADOPTING AND PLACING ON FILE THE 2020 ANNUAL ACCOUNTING OF MONIES RECEIVED AND DISBURSED BY THE OFFICE OF THE ESSEX COUNTY CLERK. Scozzafava, Rand

20. RESOLUTION AUTHORIZING THE COUNTY MANAGER TO BEGIN DISCUSSIONS WITH THE BOQUET VALLEY SCHOOL DISTRICT BOARD AS IT RELATES TO THE THRALL DAM PROPERTY IN THE TOWN OF LEWIS. Gilliland, Hughes

MONTY: Discussion?

PALMER: I think that should include both the County Manager and the County Attorney. You

know Dan and I have been talking about it we obviously have some areas to view and go over as it relates to any transfer of property that we currently own, so that clearly should include Mr. Manning in that as well.

MONTY: Do we need to amend that?

PALMER: No, I think we can just add it for regular board.

MONTY: Any other questions, discussions? All in favor signify by saying aye, opposed – carried.

21. AMENDED: RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TEMPORARY COVID LEAVE TIME POLICY. Holzer, Hughes

MONTY: Discussion?

SUBRA: Can I ask for a recommendation that this be amended to use Covid leave time policy after all sick time, normal sick time is used up.

MONTY: Okay, further discussion? We have a request by Mr. Subra. Is that a motion to amend it Jeff?

SUBRA: Yes, please.

MONTY: Motion by Mr. Subra to amend, all sick time must be exhausted to request the Covid time. Do we have a second on that motion? I'll second it for discussion.

SCOZZAFAVA: Yeah, that's maybe just for me, that's a little confusing because it's my understand that an employee just doesn't call in and say, I'm sick today because I think I have Covid. I mean there's got to be documentation that before they can go into this sick time, this policy that we're voting on here today that there has to be substantial medical, ordered quarantine, ordered isolation, slip from a doctor that if you come out of isolation and you're still having symptoms that they feel is related to Covid so I guess, Jeff I'm not understanding exactly what this resolution, what's your amendment to this policy does? If you could explain it, I'd appreciate it.

SUBRA: Yes, because right now this is allowing all county employees this privilege without utilizing their current sick time so I think it's going to further complicate how sick time is used for the county. Again, the policy itself spells out rules and regulations on how to use it I'm just asking before we go to this level across the board that we're utilizing all our current sick time before we go to this next level.

SCOZZAFAVA: So, if I may continue, can you give me an example of how this would work so John Doe calls in sick this morning he's got a fever, he's got stomach issues, he's got Covid symptoms okay? So you take it from there. Tell me what happens at that point.

SUBRA: Right now that person has to use their personal sick time because they have not been quarantine, they don't have a mandate to stay home from work they should be using their personal sick time right?

SCOZZAFAVA: Yup and I don't think that this policy Dan Palmer correct me if I'm wrong, changes that scenario?

PALMER: That's not the intent of the policy frankly the way if it was worded, that you had to use up your sick time you're going to reward those employees who are short on sick time and you're going to punish those employees who have maintained their sick time. The intent of the policy was to provide that people who have that questionable condition that they don't come into the workforce and make more people sick. This is about protecting the current workforce that are here not about providing some benefit for somebody that may think they are sick and decide they want to stay home. There would be a review of it in the sick leave bank based upon members that are in that committee but again I know I don't think that really accomplishes what the intent was. If in fact you want to require everybody to be out of sick time before they even get any benefit from this bank than people are going to come in. Those ones who maybe down short on time and don't want to use it and don't feel well and may have come in contact with a positive are going to come into the workforce and the result of that is employees who are here who are not sick are going to pay the price for it. This is about trying our best to keep the current workforce working without punishing other ones and again if you in fact make this so that you have to be out of sick time before you do that anybody who has sick time on the books is going to be the ones that end up being punished for it.

DELORIA: Yes, I mean if we read 21, it does specify that this subject to review a committee that's going to be set up with certain department heads and I think there was a supervisor on that committee so I mean, for all practical purposes maybe Jeff would see it better if it was added to this resolution, establish Covid leave time policy review by this committee that was setup. That's what it says to me that it's not guaranteed. It's subject to review and then the bank would lend out those hours you know, in certain instances. Am I reading that correctly Dan?

PALMER: Yeah, that's the intent. I did provide everybody with a written policy that went out prior to the Finance committee that specifically talks about the requirements, it has it laid out, it has a form, it tells you when you have to apply to the committee. We had one, I've got to tell you, we had one this morning an employee called in, her child was quarantined she felt that it wasn't fair for her to have to use her own sick time in that case. You know again, this is the intent here is to provide protection for the existing workforce I can't stress that enough. It isn't about a benefit or an additional benefit that I just want to throw at people. It's about trying to protect people better here.

BARBER: I have a question. Dan, so if somebody calls in and I know you can't make them go get a test do you recommend them go get a test?

PALMER: Yeah, part of that would be that. That the committee would look at it. If they called in, they thought they were around a positive, did they go get a test? Did they bother? Those are all things that would be considered by the committee when they looked at the request. This isn't like it's automatic. So in other words, if somebody calls in in the morning and says you know, I think I was around a positive I'm not coming in today and the department head says, okay then here's the application apply to the bank. If you're approved we'll cover your time. If they're not or they don't bother and they don't put any effort into it then they may not be approved so again, that's just part of what we're proposing. Is it, I'm not even suggesting that this is a perfect answer all I'm saying is it's another tool we can use.

GILLILLAND: For one thing this actually gives us more control of using sick time, right. Without using sick time, we actually have oversight on this by the panel to approve these. The other one too is from the department heads point of view this actually gives the department heads another tool to tell somebody to go home without fighting over what type of time it is. If the department head feels that the person maybe endangering the rest of the workforce – inaudible – so this is control by management oversight and even more than actual sick time and it allows department heads to have a tool to control the workforce because what's going to happen to us eventually if we lose all of DSS or we lose all of the County Attorney or we lose all of the Management at DPW? I guarantee all of us will be getting a lot of phone calls.

McNALLY: This is Steve McNally. This is unprecedented times and my feeling is these positions are budgeted full time with sick leave and everything included. The only thing we're going to lose is maybe some productivity during the year but what we gain on this is we gain people sick coming into the workplace which is like you say, if it gets into DSS what are we going to do next? This is short term, this is a short term deal possibly we'll be out of this mid-summer, who knows? I go along with this policy.

MANNING: I just have a few points. If you look at New York State's Covid legislation, Emergency Family Medical Leave Act and the Federal Coronavirus Act all of those provide that in certain enumerated circumstances when people are ill they are to be paid a portion about of money, portion of their wage this just carries it a little further over a twelve-week period, a ten-week period none of those categories are, were they quarantined or isolated? This doesn't apply to that right?

PALMER: Right.

MANNING: But there are other thing where a Doctor thinks that they've got it so that's sort of akin to what you're doing. There's also criteria if you're home caring for a child who has been exposed or has been quarantined or isolated so the Federal Government and the State Government have provided similar situations. As Steve said and whoever made the comment, I was back in the Chambers that's a good point I understand it but this is going to be temporary in nature generally because I'm sick with Covid I can't come in today then they are going to go get tested or they're going to be found by the tracers within a relatively short period of time and then, these other statues will kick in. So it's not like this is going to be a big, big drain as some of the other people have mentioned you've got to weigh the benefit verses the cost. I'm not taking a position on this, I'm just throwing all this stuff out here but it might be better to do this than have someone come in sick. So there's Federal legislation that pretty much mimics it and that's my two cents.

HOLZER: Jim, I'm okay with the proposal as it's written. I'm comfortable with the oversight. The only thing I was wondering is if we should, like sixty days from now take a look at this, have Dan or whoever give us a report on how many employees actually utilize this so it's not open-ended benefit or offering that we're going to review it again in 60 days and see how many employees actually took advantage of this new policy.

PALMER: I'm not opposed to that. I think that is probably appropriate in fact, I'm not even opposed to the idea that this be listed as a temporary benefit, that you limit this to six months' time and then review it again at that point. You know, like Jim just said with the roll out of shots going so slowly then maybe it would be longer. As it relates to Dan Manning's point you know there are, if somebody gets tested and they are positive then we're going to cover their time. For us, it's the lag, it's that three or four days or something between the time in which somebody

thinks they're sick and the time they actually get tested and they get a result back that's the timeframe that we're most concerned about it is do we keep them out of the workforce long enough to know that they're negative or positive on a test. You know people can get a flu and it can awful lot seem like a Covid issue when maybe it's not, so if they in fact get a flu they decide the safe thing to do is not come into work, they are going to have to charge their own time and then when they get a test, it comes back negative we are going to punish them for that. Whereas, if somebody else gets the flu and says, well, you know what? I think it's just the flu. I think it's just a cold. I'm going to come to work and they turn out three days later they are positive now I've got a spread within my workforce that can literally shut down County Government. You know, so that's that.

MONTY: I just want to add, I see a lot of everything that's going on here my question I guess Dan, would be if they, those people that call in thinking they are sick if they just use their own time until they get that test then if they tested positive then we give them back their time immediately.

PALMER: But again, that's the problem.

MONTY: I understand and I see exactly what you're saying.

PALMER: If they don't in fact, if they are down to almost out of time, or they're close to their time and they are sick but you know, I don't want to use my own time that's where the problem becomes is where they walk through that door now I've got a problem because they have come through the door. Mike Diskin can tell you, we had Auditors shut down and almost all of our Treasurer's shut down because of a positive.

MONTY: Roy, I saw your hand up.

HOLZER: Yes, can I offer an amendment to this resolution saying a resolution offering the establishment of a temporary Covid leave time policy?

MONTY: First we've got to vote on the first amendment Roy. Okay, any other discussion on the first amendment?

DELORIA: I just want to revert back to Jeff and to see if he maybe understood maybe differently from what his amendment was and see if maybe he wanted to amend his amendment or retract it for example?

SUBRA: I still disagree. If people have Covid a whole department can get wiped out anyway. From the principle of this, I just disagree. I understand all the logic you guys are going to try to put through but if Covid goes through a department, it goes through a department that doesn't change people are out of the office. I'm trying to say no, we shouldn't carte blanche across the board offer all county employees additional sick time when we've already got two weeks of sick time built in and I'm adamant about that and I'm sorry respectfully, I just disagree with this policy.

SCOZZAFAVA: Yeah, I'm just sitting here reading Walmart's Covid policy, National Grid's Covid policy, I mean, this isn't some benefit that public employees are receiving. If you read down through some of the policies that the private sector has adopted with the Covid Leave Bank and so on, pretty much mirrors what we've been talking about doing here today and I think there's enough cautions in place here and this is all about precaution obviously this is a prevention method to keep the rest of the workforce working. With someone that's going to review this, I

don't see how it's going to be abused. Let me ask this Mr. Palmer, have you seen any abuse since last March on any of this Covid with any of our employees at this point? People banging in, I don't feel good and so on? Has that been a problem? Dan, you there?

PALMER: I'm here. What is it specifically that you're asking?

SCOZZAFAVA: Have you seen any abuse so far on the Covid from employees?

PALMER: Honestly it's been occurring more in the last month and a half really since the numbers have gone up so much. We're getting a lot more of that people calling and saying I don't know what I'm doing and people coming in sick and then later saying, well, I thought it was just a cold. Well, if they had stayed home with what they had thought was just a cold then we wouldn't be looking at people being out of the departments. You know, I've given it my best shot. I think it's a fair thing to do, I don't know.

SCOZZAFAVA: I think part of the problem here is we may not understand it completely. Possibly before full board if you could just do a scenario, John Doe calls in sick you know, how the whole process works to the point where they would qualify for this policy is that possible?

PALMER: I can do something yes.

SCOZZAFAVA: Okay I think that's needed at least it is for my benefit also.

MONTY: I just want to add to this that this isn't automatically given. It goes in front of group of people established who are going to say, yay or nay so this isn't just an automatic, I call in, I'm getting my Covid time. That's not how it's going to be. The situation is reviewed; a lot of things are taken into account before it's said yes or no. Am I correct? Is that your premise on this Dan?

PALMER: That is the purpose of establishing the committee for review.

MONTY: That to me leans me toward thinking it's not a bad thing. Just my opinion.

SCOZZAFAVA: Let me just add one more thing before we close here on this topic, the whole reason that we're doing a Zoom meeting is because our Public Health Department, Linda Beers stated that if one of you are positive, I asked this question in November or December, what happens to the Board of Supervisors? Her reply was you are all quarantined so I mean that's what we're trying to avoid here I see it anyway with this policy and that's why we're on candid camera right now.

WINEMILLER: I have a question in regard to the HIPPA laws and having this review board to check out you know each individual employee's call in if they are feeling sick does that violate any HIPPA laws or are we doing something?

PALMER: No Mr. Manning can answer but anytime you provide a benefit to somebody based upon those conditions then you have the right to know what the reason for that is. We have a waiver within the, like the sick bank it says specifically that you know, your right for HIPPA purposes is there because we need to know you can't provide a benefit unless you know the reason.

MONTY: Does that answer your question Davina?

WINEMILLER: It did yes. I just wanted to make sure that we weren't going to you know, have trouble down the road with someone saying you had no right to discuss my personal sickness you know, etc. That was my concern.

BARBER: My understanding this is going to be done by a case by case position, correct?

PALMER: Yes.

BARBER: It's going to be discussed by the board to understand that. I mean I had a similar situation in my highway department where one of my highway workers come to me and said I was exposed three days ago in fact; it was on New Year's Eve. His mother's sister came to his mother's house and he was there. So, he called in on that Monday because New Year's Eve was on a Friday, he called in and told me and I asked him to stay home and please go get a test. So he went and got a test then also, that Saturday it snowed so another guy went out on the truck with him. I asked him to do the same thing so when they came to me and I said, how is this because the guy who rode with the driver said, I don't think it's fair that I have to use my sick time. What I had told him is I'm going to put it under your sick time for now, if you run out at the end of the year then we'll look at it on whether or not I'm going to reimburse you for that so it was more or less on that policy. Now if he had tested positive I had told them both if they go and they test positive and they have to be quarantined for that time then their time would go under the Covid relief package. Is that pretty much how they are going to look at it Dan?

PALMER: Well to some extent, the only thing that I think different is that we're going to look at whether or not to provide the time based upon them saying, I think I was in contact with a positive or I don't feel well or whatever the case may be. That's when we would look at whether to charge their sick time not. We wouldn't wait until they ran out of sick time we would just say you don't have to charge your current sick time if that's what the committee approves. Again, one member of the board would be on the committee, of the board of supervisors it's not coming back directly for the approval of the full board I just want to make that clear.

SCOZZAFAVA: A situation that I was faced with just last week, I had a highway employee a HEO who was in isolation. He came out of isolation, went back to work, he didn't feel good, he was showing some of the signs the Highway Superintendent sent him home. I immediately was contacted by other highway employees saying what the heck are you letting this guy come for you know? Why did he come back in? so the policy that we now have is just because you're out of isolation doesn't mean you're showing symptoms in the isolation. The isolation is 14 days doesn't mean that it magically goes away in 14 days so the issue because well now does he use his own time or does he use Covid time? So the discussion that I had with the employee is you need to go see your Doctor, get a slip and let me know and then if it's related to the Covid then we'll go from there but these are tough situations to be in. I had a Police Officer whose brother was positive so he had to go into quarantine but before he went into quarantine he had told me on a Monday that he was with his brother on Thursday what should he do and I sent him home immediately. I said I don't need you out there interacting with the public until we find out for certain are you positive, are you not positive? Tuesday or Wednesday he went and got tested. He tested negative Tuesday he was given a quarantine order from Public Health so I mean, of these scenarios what I'm trying to point out here is going to play a different role here and I'm going to tell you until you get into that position it's a tough call to make because if I tell an employee you know what you don't have any sick time coming, you stay home you're going to get docked, he comes into work, he infects the whole department guess who is hanging? I am so that's the point

I'm trying to make. These are tough calls to make and sooner or later you're all going to have to make it.

MONTY: Okay, anything else? Okay, we have a motion on the floor by Mr. Subra on the amendment. We have a first and second, all in favor - Judy, can you do a roll call here please?

GARRISON: Yes I will.

PALMER: Let's just get on the same page. The amendment is to require all employees before they apply to the Covid bank to be out of sick time.

HUGHES: Oh, I thought it was based on the recommendation for the temporary?

HOLZER: That's after.

PALMER: We would have to do the first amendment first then go to Roy's amendment after. Start over please.

GARRISON: Mr. Barber – no; Mr. Harrington – absent; Mr. Merrihew – yes; Mr. Hughes – no; Mr. Depo – yes; Mr. Wilson – no; Mr. Monty – no; Mr. McNally – no; Mr. Scozzafava – no; Mr. DeLoria –no; Mr. Rand – no; Mrs. DeZalia – no; Mr. Subra – yes; Mrs. Winemiller – no; Mr. Giordano – no; Mr. Tyler – no; Mr. Gilliland – no; and Mr. Holzer – no. The resolution as amended, failed.

MONTY: The amendment failed Judy.

HOLZER: I'd like to offer an amendment to this resolution authorizing the establishment of a temporary Covid Leave time.

PALMER: We should establish a date, maybe July if that's acceptable? Then we will look at it again in July and again, I think some of that would depend upon how many shots were out there so to speak.

MONTY: Motion to review in July, is that your amendment Mr. Holzer?

HOLZER: Review in July and make sure we put the word in there, temporary Covid leave time policy.

PALMER: Of July, 2021.

HOLZER: Yes.

PALMER: The first regular board in July.

HUGHES: I'll second that amendment.

MONTY: Okay motion on the amendment please, Judy roll call again.

GARRISON: Mr. Barber – yes; Mr. Harrington – absent; Mr. Merrihew – yes; Mr. Hughes – yes; Mr. Depo – yes; Mr. Wilson – yes; Mr. Monty – yes; Mr. McNally – yes; Mr. Scozzafava – yes; Mr.

DeLoria –yes; Mr. Rand – yes; Mrs. DeZalia – yes; Mr. Subra – yes; Mrs. Winemiller – yes; Mr. Giordano – yes; Mr. Tyler – yes; Mr. Gilliland – yes; and Mr. Holzer – yes. The amendment carries.

MONTY: Okay now going back to the original resolution now as amended motion please.

DELORIA: I so moved.

PALMER: It's already been moved, it's already in there all you're doing is voting on it now as amended.

MONTY: I'm just so confused. Voting on this resolution as amended, go ahead Judy.

GARRISON: Mr. Barber – yes; Mr. Harrington – absent; Mr. Merrihew – yes; Mr. Hughes – yes; Mr. Depo – yes; Mr. Wilson – yes; Mr. Monty – yes; Mr. McNally – yes; Mr. Scozzafava – yes; Mr. DeLoria –yes; Mr. Rand – yes; Mrs. DeZalia – yes; Mr. Subra – yes; Mrs. Winemiller – yes; Mr. Giordano – yes; Mr. Tyler – yes; Mr. Gilliland – yes; and Mr. Holzer – yes. The resolution carries, as amended.

MONTY: Thank you. Any other miscellaneous resolutions to come before the board?

DELORIA: I've got one from the floor, Mr. Dougan can you present that for us?

DOUGAN: Sure, we've been contacted by the organizers of Ironman, Lake Placid they are hopeful that this their normal running of Ironman will be able to take place in July and they'd like to request the issuance of a permit to use county roads for the July 25, 2021 Ironman Triathlon.

RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO IRONMAN LAKE PLACID FOR THE USE OF COUNTY ROADWAYS FOR THE 2021 IRONMAN TRIATHLON RACE ON JULY 25, 2021. Holzer, Wilson

MONTY: Discussion? I'm assuming Jim this is all contingent on Covid 19 regulations?

DOUGAN: Yeah, it is contingent on Covid 19 regulations and the County Attorney has drafted a full resolution that does add that this will be subject to terms and conditions approved by the County Attorney so you guys, they want to move forward with trying to organize this but if we have concerns we definitely have some say in this.

MONTY: Thank you. Any other questions, discussion? If there is no further discussion, all in favor signify by saying aye, opposed – carried.

GILLILLAND: I have two resolution of condolence one to the family of Janet Mero and the other one to the family of John Manning former Justice in town, town councilman and practicing attorney in Willsboro for many decades.

RESOLUTION OF CONDOLENCE TO THE FAMILY OF JANET MERO. Gilliland, unanimous.

RESOLUTION OF CONDOLENCE TO THE FAMILY OF JOHN T. MANNING, ESQ. Gilliland, unanimous.

MONTY: Thank you. Anything else Shaun? Anyone else have anything?

GIORDANO: On the resolution appointing the four-person commission to draft the resolution of condemnation for the attack on the National Federal Legislature that's not the same resolution language that we need for the actual resolution that we're passing right? Are they two separate?

PALMER: Yes, that would be. I think you moved the one originally that only dealt with the four members. I think if you move the actual resolution now that it's done I think you could do that.

GIORDANO: That's what I thought okay.

RESOLUTION OF THE ESSEX COUNTY BOARD OF SUPERVISORS CONDEMNING THE UNLAWFUL ENTRY INTO THE UNITED STATES CAPITOL BUILDING IN WASHINGTON, D.C. ON JANUARY 6, 2021. Hughes, unanimous

SCOZZAFAVA: I have a question but it's not on this resolution it's on something else. I just had one of my constituents contacted me during the meeting, they heard our Chairman say there's only 100 doses coming to Essex County this week so is Ticonderoga School who was scheduled to do 150 vaccines today, is that still on or is that not on? That what was on Public Health calendar.

GILLILLAND: The calendar has been amended based on whether we get vaccines. I talked to Linda this morning and she said she was amending the calendar but I don't have it right in front of me.

SCOZZAFAVA: Okay so that's not on that obviously. Okay, thank you. That answers my question.

GIORDANO: Shaun, can I ask a question regarding that as well?

MONTY: Go ahead Joe.

GIORDANO: So, as you mentioned the Department of Health is only receiving 100 vaccines per week, per county right?

GILLILLAND: They order them every week and then they are going to get a confirmation as to how many is actually coming. They ordered 1000 and got confirmation for 100. So next week she'll order another probably 1000 and see what comes in so I don't foresee that that's going to change until the national supply kicks back in. But this is not just Essex County all the counties in the North Country are the same way and as I said also the hospitals are -inaudible – because they're not getting it in order to finish up their 1a workers either.

GIORDANO: Right well I just want to understand, I don't know if any of the other towns are experiencing this but I realized I think some members of the county, some members of my town are planning on going to or have scheduled appointments in Plattsburgh and I'm wondering how they are able to do that if we're not even able to get those vaccines?

GILLILLAND: Because Supervisor, he's the Governor and that's a State site.

GIORDANO: Okay.

PALMER: I think Joe what's going on by short supplying the counties he's diverting shots to the Plattsburgh State sites, the State sites like Plattsburgh so I think that's why the State sites are able to do the dosing because they are taking essentially doses that were intended for counties and diverting them up to the State sites, at least that's my understanding about that.

WINEMILLER: Shaun, I have a question. So when you're saying that we're getting 100, I'm curious about that because it's a two dose vaccine, are they counting the second does already or is that in addition?

GILLILLAND: The logistics of it, that's been told that they are managing that so if you are getting 100 at first that they are saying that they will guarantee you will get 100 a second. That's in the logistical plan.

WINEMILLER: Okay, thank you.

GILLILLAND: I don't, Linda or I or anybody else has got inside on the mathematics to that plan.

MONTY: Anything else?

DEZALIA: Can I add a thought to that so what I'm hearing also like the Plattsburgh site is the one and only State site I believe that's located in the region of the North Country.

GILLILLAND: No, SUNY Potsdam also.

DEZALIA: Okay so Potsdam and Plattsburgh fall in the North Country region but I'm hearing a lot of the capitol district region people are making their appointments in Plattsburgh. There should be some way to say that these are regions, and if there are already ones in your region you should make your appointment there. So the North Country people can make their appointments and have access to it in Plattsburgh and –

GILLILLAND: That was referred to the State in the control room and was turned down, anybody in the State can get it anywhere.

PALMER: First come, first serve no matter where you're from is what they're doing.

RAND: How about out of State? I heard some people from New Jersey were scheduled for Plattsburgh.

GILLILLAND: They are not supposed to Jay but you know, that the people making that decision are at the State level.

RAND: I believe that some of the appointments were moved into almost a month down the line so, they may have some issues too.

MONTY: Anything else? If there's nothing else to come before ways and means I entertain a motion to adjourn. Motion by Roy, second by Joe. We are adjourned. Thank you.

As there was no further discussion to come before this ways and means committee it was

adjourned at 11:14 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors