

REGULAR BOARD MEETING
Monday, March 6, 2023 @ 10:00 a.m.

Shaun Gilliland, Chairman
James Monty, Vice-Chairman

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

Department heads present were: Angie Allen, Linda Beers, James Dougan, Emily Evatt, Judy Garrison, Mary McGowan, Dan Manning, Mike Mascarenas, Jack Moulton and Heather Sheehan.

Also present: Senator Dan Stec, Assemblyman Matt Simpson, William Tansey, Michael Corey, Deb Capezzuti, Krista Moran, Jen Fifield, Shannon Doyle and Margaret Bartley.

New media present: Alana Penny – Sun News

GILLILLAND: I will call this meeting of the Board of Supervisors to order and if you would join me if you would join me in the salute to the flag please. Good morning. We will go to roll call please. Thank you. We have some guests this morning. As everybody is aware, we recently lost one of our own. One extremely dedicated and extraordinary effective public servant, Sue Montgomery-Corey. A great loss to her family, her town, the county, the State so this morning we have with us, Senator Dan Stec, Assemblyman Matt Simpson and if I could also ask Supervisor McNally to come forward and Mr. Corey, if you would come up here please. We have humble I think words and dedication to her memory.

SENATOR STEC: Good morning everyone. I apologize for my back to everybody here except for Tom. It's a beautiful day. This is very unusual for us not to have session on Monday so we saw the opportunity to be able to join you all today and we were thrilled that we were able to pull together an opportunity to recognize Sue with her husband, Mike here. As everyone knows Sue passed away in January and I certainly don't need to tell you here in Essex County her contributions and her significance to her to the history of the Town of Minerva and Essex County but I had the privilege of working with Sue early on when I was in the Assembly. She was one of the original Board of Supervisor members here when I was a freshman in the Assembly and as fate would have it we found out after she passed we wanted to recognize her with a resolution, that her daughter Emma, works for a colleague of mine Senator Skoufis down in Albany and so last week the Senate and Assembly passed this resolution and I had an opportunity to speak out on the floor. We don't speak on every resolution on the floor, if we did we'd do nothing else which depending on your perceptive, that wouldn't be a bad idea down in Albany but we had an opportunity to pause and both myself and Senator Skoufis who is her daughter's boss were able to speak on that and certainly I mean, as the first female Supervisor for the Town of Minerva when a time where female supervisors were even less common than they are today. She was a trail blazer and then obviously she went on and did many other things in the community both in Minerva and Statewide frankly but her passion for her family, her community the last several years in Indian Lake at the theater, running the theater there we wanted to pause and recognize her on the Senate floor that was nice but I thought it was more important to come here to the people that knew her and sent her to public office and her colleagues here some of you did work with her on

the board and thank her family in particular, Mike who is with us here today for her service and her legacy here and everything that she's done for Essex County and the Town of Minerva and I'll let Matt say a few words as well.

ASSEMBLYMAN SIMPSON: I want to thank you all for the opportunity to be here today. It really is an honor to recognize someone who, I although I didn't really know her personally as I was getting involved in my community her name would pop up all the time and her public service with the common ground alliance, Town of Minerva and since then I learned all the wonderful contributions that she has made to not only the town that she lived in but throughout the Adirondacks and shaping what the future of the Adirondacks are so it truly is an honor to be here with you all and recognize her and her family for the time that we had with her. It's always a difficult time to lose somebody who contributed so much to the community but it certainly gives all pause to think about how we can make contributions to our community and make a better community for all of us. So, thank you and I do have a resolution which I would like to present to Mike.

So I will pick up here, *Whereas the true asset to our community, Sue Montgomery-Corey was actively involved in Minerva Service organization in coaching the Minerva Central School's audacity of the mind team for 15 years. Furthermore, for the past 8 years she served as Director of the Indian Lake Theater and whereas, 2003, Sue Montgomery-Corey and her husband were named citizens of the year and in 2016, she was named the Democratic Election Commissioner of Essex County. Whereas, protector and supporter of her family Sue Montgomery-Corey's wisdom and kindness will greatly be missed by her community and family. She was an amazing mother, grandmother and care giver to all those she loved. Therefore, be it resolved, this legislative body pauses deliberations to mourn the death of Sue Montgomery-Corey and expresses its deepest condolences to her family and furthermore be it further resolved, that a copy of this resolution suitably embossed and be transmitted to the family of Sue Montgomery-Corey.* On behalf of Senator Stec and myself.

McNALLY: This is the Essex County resolution of condolence to the family of Sue Montgomery-Corey. The following resolution was offered by Supervisor DeZalia who moved this adoption. *Upon the recommendation of the ways and means committee of this body and same appearing proper and necessary. Whereas, Sue Montgomery-Corey of Minerva, New York passed away at her home on January 24, 2023, after a long hard fought battle with cancer. And Whereas, Sue Montgomery-Corey born in Potsdam, New York on July 21, 1958, Whereas, she graduated from Northern Adirondack Central School in 1976, received a BA in Government and Environmental studies from St. Lawrence University in 1993, received a MS degree in technical communications from Rensselaer Polytechnic Institute. Whereas, she moved with her family to Minerva, New York and in 2003 Sue and her husband became Citizens of the Year and Whereas, in 2009 Sue became the first female supervisor for the Town of Minerva and a member of the Essex County Board of Supervisors. Whereas, Sue was involved in Minerva Service Organization and became Minerva Central School's Odyssey of the Mind coach for 15 years; and Director of the Indian Lake Theater for the past eight years; and Whereas, Sue was named Essex County Democratic Election Commissioner in 2016, a position she held until the end of 2022; and Whereas, Sue was an amazing mother and grandmother whose greatest joy was her family; and Whereas, Sue Montgomery Corey is survived by her husband, Mike Corey, her daughter, Emma and her son, Eben (Janine); two grandchildren, Nora and Garreth; and Whereas, she is also survived by her mother, Ellen, sisters, Karen and Laurie (Greg) and brothers, Bill and Tom; and several nieces and nephews; and*

Whereas, Sue Montgomery Corey was a loving daughter, wife, mother, grandmother, sister, aunt and friend who will be sorely missed but never forgotten.

Be it Resolved, that the Essex County Board of Supervisors, Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Sue Montgomery Corey; and

Be it Further Resolved, that this resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to the Corey family.

This resolution was unanimously seconded and adopted.

GILLILLAND: Thank you very much. If we could get a round of applause please for Sue Montgomery-Corey.

Last week several of us went to NYSAC for the legislative conference, a lot of good things there, lot of good meetings, lot of bad news coming out of Albany. I think the highjack of Fmap will go unprosecuted and we're going to have to plan for that, the issue of properties that are sold in our tax sales and having to return the excess to the former owners, NYSAC said they weren't getting much traction with the Governor's office on changing that so other things of interest in I guess with your discussions with the Senator and the Assemblyman, you know Senator Stec and Assemblyman Simpson and all the other defenders of the Alamo are doing their best but it doesn't look real good this year so we're going to have, our long term strategy for Essex County we're going to have to bootstrap ourselves and move forward so not much help there.

Anybody else that went to NYSAC, have any comments?

McNALLY: Medicaid being shifted down to the county is going to create a hardship in Essex County and throughout the entire State. This is another one of those the State reaching into the County's pocket and it's inexcusable what they are doing with this Medicaid.

GILLILLAND: Which is why, I wasn't here but it was brought up at the ways and means passing a resolution to ask the Governor and the Legislature to suspend the tax cap next year because, we are at \$800,000 boost there are counties that have \$32 million dollar boost. This \$800,000, that kicks right over our tax cap how are we going to make that up? So, if we bust the tax cap because the State did this to us, the things like Herrell-Harring, some DSS programs, things like that we'd lose the funding for it for busting the tax cap so this is a multi-bladed sword we are getting, so this is the background in why we are asking for it. We'll move onto resolutions please.

RESOLUTION #47 – ACCEPTING, ADOPTING AND PLACING ON FILE POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS.

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

RESOLUTION #48 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO BID FOR VARIOUS DEPARTMENTS.

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

RESOLUTION #49 – AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

RESOLUTION #50 – NAMING ESSEX COUNTY AS LEAD AGENCY FOR THE PROPOSED CONSTRUCTION OF A COUNTY AGRICULTURAL AND YOUTH CENTER.

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

RESOLUTION #51 – AUTHORIZING APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS.

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

RESOLUTION #52 – AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

RESOLUTION #53 – DESIGNATING THE SECOND WEEK OF FEBRUARY AS AN ANNUAL “SCHOOL COUNSELING APPRECIATION WEEK” IN ESSEX COUNTY.

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

RESOLUTION #54 – URGING GOVERNOR KATHY HOCHUL TO DECLARE A STATE OF EMERGENCY REGARDING THE OVERDOSE EPIDEMIC IN NEW YORK STATE TO REMOVE STATUTORY BARRIERS TO LOCAL DATA SHARING NECESSARY FOR TIMELY INTERVENTIONS.

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

RESOLUTION #55 – AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACTS/AGREEMENTS FOR PURCHASE ORDERS.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

RESOLUTION #56 – AUTHORIZING THE ISSUANCE OF A PERMIT TO ADIRONDACK SPORTS COUNCIL ALLOWING USE OF COUNTY ROADWAYS FOR THE WILMINGTON WHITEFACE 100K MOUNTAIN BIKE RACE TO BE HELD ON SUNDAY, JUNE 4, 2023, UPON APPROVAL OF THE COUNTY ATTORNEY AND WITH THE PROVISION OF INSURANCE.

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

**RESOLUTION #57 – WATER STREET BRIDGE OVER THE BRANCH, ELIZABETHTOWN PIN 1760.51 - SUPPLEMENTAL AGREEMENT #3
AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.**

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

AYES: 2652 votes

NOES: 0 votes
ABSENT: 201 votes (Stanley)

RESOLUTION #58 – AUTHORIZING A MUTUAL AID AGREEMENT FOR CORONER SERVICES – CORONER.

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

RESOLUTION #59 – INTRODUCING PROPOSED LOCAL LAW NO. 2 OF 2023, ENTITLED, “ESSEX COUNTY ROOM OCCUPANCY TAX LAW” CONTINUING THE IMPOSITION OF A HOTEL/MOTEL OCCUPANCY TAX.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

GARRISON: We scheduled a public hearing on that for Monday, March 27 @ 11:30 a.m.

GILLILLAND: Thank you.

RESOLUTION #60 – OPPOSING GOVERNOR HOCHUL’S PROPOSAL TO REQUIRE EXCESS TAX FORECLOSURE PROCEEDS TO BE RETURNED TO PRIOR OWNERS AND CALLING UPON THE GOVERNOR HOCHUL TO REMOVE FROM THE 2024 EXECUTIVE BUDGET PART M OF THE ARTICLE VII REVENUE BILLS.

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

RESOLUTION #61 – AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO AMEND THE CHARGEPOINT ELECTRIC CHARGING STATIONS PRICING FEE TO ADD AN ADDITIONAL FEE FOR THE FIRST TWO HOURS OF CHARGING VEHICLES AND SET A FLAT RATE FEE OF \$2.00 PER HOUR THEREAFTER TO COVER MAINTENANCE COSTS.

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

RESOLUTION #62 – AUTHORIZING FOR SUBMISSION OF AN APPLICATION TO ESTABLISH A LAND BANK CORPORATION IN ESSEX COUNTY.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

GILLILLAND: Under discussion, Mr. Hughes and Mr. Monty here, is it worth a motion to table depending on what happens with the Governor’s proposal to make us pay back the delinquent taxes?

MONTY: Personally, I would like to move this forward and get our application in. We do have one property that is ready to go. Yes, it’s going to hinder us in funding but getting that land bank established I think is the first huge step and we worked very hard to get to this point and I would like to see it voted on here myself.

GILLILLAND: In the concept, it seems to me this will cause some hindrance to what our plans were a little bit I just want to make sure going forward with the land bank we are going to keep liquid.

HUGHES: Thank you Mr. Chairman. I would support what Mr. Monty just stated and also add that I feel the further along we are in the process the smarter we are and the more tools we have at our disposal to make smarter decisions in the future so I would support moving forward on this.

SCOZZAFAVA: I'll support this resolution but as we all know the Governor's request in regards to tax sales, if it passes, this is not going to go anywhere and furthermore, most of the properties we sell at the tax sale, the majority don't bring what's owed so who's going to make the difference up on that end? New York State going to make up that difference if we're owed \$10,000 in back taxes and the property brings \$5,000? I mean, so the entire concept that she's proposing is ridiculous and you know we have to meet the warrants every year because the county makes schools whole, the towns, the water districts, the fire districts it's just insanity how the heck they ever came up with this brainstorm is beyond me.

HUGHES: Just a reminder that the Land Bank Act I think of 2010, New York State's Land Bank Act does allow the provision of 50% of those property taxes back to the land banks so there is some remuneration there.

SCOZZAFAVA: I don't disagree with that but then the proposal too, I think Moriah supposed to build I forget how many new houses for you know, well, they might want to expand the hamlets before that's going to go anywhere –

HUGHES: That's a whole different conversation an important one.

MONTY: And over the last two years that we've been working on this and talking to several of the land banks across New York State, majority of them are not shall we say, solvent because of that there's not a lot of funding that they've been able to get but in talking with Nicole Justice-Green she is pretty confident she can find money for us to move this project forward and I really think the time is right for us as there is only 35 eligible land banks in New York State which 29 have been awarded. I think it's time for us to become the 30th one and get on board and do what we need because not only does this provide an avenue for affordable housing it helps us in our communities to clean up some of these blighted lots that may need to be taken down within your communities therefore, making them more attractive for people or businesses even to come in and purchase that property but I do agree Tom, her ambitious proposal for affordable housing which I applaud her for being that ambitious we need to look at that at a whole other level but I really do think the time is right for this application.

GILLILLAND: Further discussion?

McNALLY: It just shows how important it is to have these auctions as soon as we're eligible to have these auctions to stop the tenants to carry on for two or three years.

GILLILLAND: We almost got there but Linda Beers kicked us back. *(laughter)* Further discussion? Being none, roll call please.

RESOLUTION #63 – AUTHORIZING THE ISSUANCE OF A PERMIT TO ADIRONDACK SPORTS COUNCIL ALLOWING USE OF COUNTY ROADWAYS FOR THE WILMINGTON

WHITEFACE WHISKEY 5K AND 10K RUN/RACE TO BE HELD ON SATURDAY, JUNE 17, 2023, IN THE TOWN OF WILMINGTON, UPON APPROVAL OF THE COUNTY ATTORNEY AND WITH THE PROVISION OF INSURANCE.

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

RESOLUTION #64 – ADOPTING THE 2023 LAKE CHAMPLAIN LAKE GEORGE REGIONAL PLANNING BOARD BUDGET.

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

**AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)**

RESOLUTION #65 – AMENDING ESSEX COUNTY’S PROCUREMENT POLICY TO COMPLY WITH THE FEDERAL GOVERNMENT’S UNIFORM GUIDANCE FOR PROCUREMENT, SUSPENSION AND DISBARMENT PURSUANT TO 2 CFR PART 200, SUBPARTS A THROUGH F.

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

**AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)**

RESOLUTION #66 – RECOGNIZING LONG-TERM EMPLOYEES OF ESSEX COUNTY.

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

RESOLUTION #67 – IN SUPPORT OF SENATE BILL S30 AND ASSEMBLY BILL A3086 TO AMEND THE FAMILY COURT ACT, IN RELATION TO ESTABLISHING A SEPARATE OFFICE OF JUDGE OF THE FAMILY COURT FOR THE COUNTY OF ESSEX.

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

**AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)**

RESOLUTION #68 – OPPOSING NEW YORK STATE’S DIVERSION OF ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE (eFMAP) FUNDS FROM THE COUNTY OF ESSEX TO NEW YORK STATE AS PRESENTED IN THE GOVERNOR’S PROPOSED 2024 STATE FISCAL YEAR BUDGET AND URGING NEW YORK STATE TO SUSPEND THE IMPOSITION ON THE NEW YORK STATE TAX CAP FOR ESSEX COUNTY FOR FISCAL YEAR 2024 UNTIL THESE MONIES HAVE BEEN RESOTRED TO ESSEX COUNTY.

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

RESOLUTION #69 – AUTHORIZING THE PAYMENT TO STAFFORD, OWENS, MURNANE, KELLEHER, MILLER, MEYER & ZEDICK, PLLC IN THE AMOUNT OF \$9,541.63, TO COME FROM 2022 CONTINGENCY ACCOUNT AS AND FOR PAYMENT OF LEGAL EXPENSES REGARDING A DISCIPLINARY MATTER.

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

AYES: 2652 votes

NOES: 0 votes
ABSENT: 201 votes (Stanley)

RESOLUTION #70 – OF CONGRATULATIONS TO GERALD PIERCE UPON HIS RETIREMENT FROM THE TOWN OF ESSEX.

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

GARRISON: Resolutions from the floor, authorizing the purchasing agent to award a contract with the Law firm of Bond, Schoeneck & King, to review and update the Essex County Personnel policy manual, in the amount of \$20,000.00.

GILLILLAND: Do we have twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #71 - AUTHORIZING THE PURCHASING AGENT TO AWARD A CONTRACT WITH THE LAW FIRM OF BOND, SCHOENECK & KING, TO REVIEW AND UPDATE THE ESSEX COUNTY PERSONNEL POLICY MANUAL, IN THE AMOUNT OF \$20,000.00.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

GARRISON: A resolution authorizing and adopting the municipal expenditure of Essex County Occupancy tax revenues.

GILLILLAND: Do we have twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #72 - AUTHORIZING AND ADOPTING THE MUNICIPAL EXPENDITURE OF ESSEX COUNTY OCCUPANCY TAX REVENUES.

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

GILLILLAND: Discussion?

WINEMILLER: I just have a question for Mr. Mascarenas, were you able to fill the budget proposal we requested?

MASCARENAS: No, not yet but I'm confident they will give it to me. We'll get it.

GILLILLAND: Further discussion?

HUGHES: I would like to express my gratitude to County Manager Mascarenas for putting this together. It is so very helpful to delineate and exactly how this money can be used and for us small towns in the county, super grateful for the guidance and for the formula.

MASCARENAS: Thank you. I'm glad it's helpful.

DEZALIA: As a member of the ROOST board I'll see what I can do about that on Thursday night meeting.

MASCARENAS: That would be helpful. We have a solution.

GILLILLAND: Further discussion? Being none, all in favor – opposed – carried.

GARRISON: A resolution adopting a home rule request for enactment and adoption by the New York State Assembly of Assembly Bill A04976 and enactment and adoption by the New York State Senate of Senate Bill S4072 to extend the authorization granted Essex County pursuant to NYS tax law section 1210(i)(36) to impose an additional one percent (1%) of sales and compensating use taxes for the period beginning December 1, 2023 and ending November 30, 2026.

GILLILLAND: Do we have twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #73 - ADOPTING A HOME RULE REQUEST FOR ENACTION AND ADOPTION BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL A04976 AND ENACTION AND ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL S4072 TO EXTEND THE AUTHORIZATION GRANTED ESSEX COUNTY PURSUANT TO NYS TAX LAW SECTION 1210(I)(36) TO IMPOSE AN ADDITIONAL ONE PERCENT (1%) OF SALES AND COMPENSATING USE TAXES FOR THE PERIOD BEGINNING DECEMBER 1, 2023 AND ENDING NOVEMBER 30, 2026.

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

AYES: 3624 votes
NOES: 0 votes
ABSENT: 267 votes (Stanley)

GILLILLAND: Discussion? This requires a 2/3 vote.

MANNING: Yes, that's what I was going to say this requires a 2/3 vote and I would like to extend our thanks to Senator Stec and Assemblyman Simpson for their work. They are always very helpful in pushing these extenders through for us a very important revenue piece to sales tax.

GILLILLAND: Further discussion? Being none, a roll call please.

GARRISON: A resolution authorizing the County Chairman or County Manager to execute an agreement with the New York State Department of Transportation for snow and ice control services, as needed, for the period July 1, 2022 through June 30, 2027.

GILLILLAND: Do we have twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #74 - AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SNOW AND ICE CONTROL SERVICES, AS NEEDED, FOR THE PERIOD JULY 1, 2022 THROUGH JUNE 30, 2027.

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

GILLILLAND: Discussion?

HUGHES: I just want to understand that this means that the State would plow, sand and salt our county roads? No?

MASCARENAS: Yeah, basically we have these agreements and locally you'll see some of our guys removing snow from Main Street here, you guys do it sometimes on your town roads for the State allows you to get that reimbursement back from the State, it allows us to get that reimbursement back from the State when we do work for them on such items.

HUGHES: That's a flip on what I said. Okay, perfect. Thank you.

GILLILLAND: Further discussion? Being none, roll call please.

GARRISON: A resolution requesting home rule legislation from the State of New York to amend NYS public officer's law section 3, providing for assistant public defenders and assistant social services attorneys for the county of Essex to reside in Essex County or an adjoining County within the State of New York.

GILLILLAND: Do we have twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #75 - REQUESTING HOME RULE LEGISLATION FROM THE STATE OF NEW YORK TO AMEND NYS PUBLIC OFFICER'S LAW SECTION 3, PROVIDING FOR ASSISTANT PUBLIC DEFENDERS AND ASSISTANT SOCIAL SERVICES ATTORNEYS FOR THE COUNTY OF ESSEX TO RESIDE IN ESSEX COUNTY OR AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK.

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

AYES: 3624 votes
NOES: 0 votes
ABSENT: 267 votes (Stanley)

GILLILLAND: Discussion? Any questions on this one? Alright, being none roll call please. This also requires two-thirds vote.

GARRISON: That is all I have.

GILLILLAND: We have one from the floor from the Health Department, County Manager.

MASCARENAS: Authorizing the purchasing agent to award a contract with PlanStreet, Inc., 220 Lexington Green Cir, Ste 110, Lexington, KY for case management software as per attached to come from Baby Steps for Bright Futures. Any additional work not identified in the allotted hours

will be billed at the following rate – this is going to be a contract not to exceed \$18,000 for the Public Health Department and the funds that we are going to use for that is from the Opioid settlement money that you so generously allocated to that at last month's meeting so this is just a belt and suspenders so Linda can get that program up and running.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #76 – AUTHORIZING THE PURCHASING AGENT TO AWARD A CONTRACT WITH PLANSTREET INC., FOR THE ESSEX COUNTY HEALTH DEPARTMENT, FOR CASE MANAGEMENT SOFTWARE, IN THE AMOUNT OF \$18,000.00

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

AYES: 2652 votes
NOES: 0 votes
ABSENT: 201 votes (Stanley)

GILLILLAND: Anything further to come from the floor?

McNALLY: Yes, a resolution issuing an RFP for architect engineering for the county agriculture and youth center in Westport, New York.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #77 – AUTHORIZING THE PURCHASING AGENT TO GO TO RFP FOR ARCHITECTURAL SERVICES FOR THE COUNTY AGRICULTURAL AND YOUTH CENTER. This resolution was moved by Mr. McNally, seconded by Mr. Holzer and duly adopted.

GILLILLAND: Discussion? Being none, all in favor, opposed – carried.

SCOZZAFAVA: A couple things, first I'd like to just take a moment and talk about Sue. I served with Sue on this board. She came on in 2009, and she asked me and those were the days when people reached across the aisle and worked with one another and she actually at that time, Lake Champlain Bridge had been closed, Moriah Shock 2010 had been closed and Sue and I went down to Albany and I thought I knew a lot of people until I got in Albany with Sue. She knew a lot of people. She was instrumental when Cuomo ran the first time. She brought him to Port Henry New York. She had Tom Dinapoli our New York State Comptroller in Port Henry, New York. She did a great job at the Board of Elections maybe I'm the only one left around here, Dan would remember but I can remember when the Board of Elections was just constant turmoil between the Republicans and the Democrats. Sue got in there and worked with our Republican Commissioner also and brought that operation back together once again. She was highly respected throughout the State of New York. It didn't matter to her if you were Republican, if you were Democrat if there was something she could do to help you she would reach out to you and try to help you and we were blessed in having that woman, she was just a great lady.

GILLILLAND: Thank you.

SCOZZAFAVA: I want to move a resolution, Dan and Matt are here. I know they introduced a bill on and we had some conversations about this early on in regards to property tax being paid on closed correctional facilities not just Moriah, across the State of New York. As we know, as they close these correctional facilities down it's a tremendous economic hit to those communities, we lose a number of jobs even though they say the jobs transfer regardless of how you look at it you still lost one hundred plus jobs out of that community and right now the State of New York pays zero in property tax on these facilities. They pay absolutely nothing. So, it still wouldn't replace having those jobs back again but it certainly could be a help if and fact they were to pay their share of property tax. If a company closed tomorrow in Moriah and pulled out they still pay property tax on that property for as long as they own it. So, I don't know if there is bills numbered but I certainly would like to do a resolution here today from this board supporting this bill that I believe has been introduced to the Assembly and the Senate. I would move that.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #78 – IN SUPPORT OF SENATE BILL S2745 AND ASSEMBLY BILL A4937 REQUIRING THE STATE OF NEW YORK TO PAY TAXES ON THE ASSESSED VALUE ON PROPERTIES OF CLOSED STATE PRISONS.

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

SCOZZAFAVA: And the other I had is congratulations to the Girls Varsity Cheerleaders Section VII champions.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

MONTY: Would they be from Moriah Tom?

SCOZZAFAVA: Moriah.

RESOLUTION #79 – OF CONGRATULATIONS TO THE MORIAH CENTRAL SCHOOL GIRLS CHEERLEADING TEAM FOR WINNING THE SECTION VII CHEERLEADING CHAMPIONSHIP.

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

SCOZZAFAVA: And the other is the Moriah Boys section VII Varsity Basketball champions. I'd like to move congratulations to the Varsity team.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #80 – 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, seconded unanimously and duly adopted.

WOOD: I also would like to move a resolution of congratulations to the Schroon Lake Wildcats for their Section VII Class D Boys Championship.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #81 – OF CONGRATULATIONS TO THE SCHROON LAKE CENTRAL SCHOOL BOYS VARSITY BASKETBALL TEAM FOR WINNING THE SECTION VII, CLASS D CHAMPIONSHIP.

This resolution was moved by Mrs. Wood, seconded unanimously and duly adopted.

GILLILLAND: Anything else from the floor?

DOTY: I'd like to move to an executive session.

GILLILLAND: Executive session to discuss?

MANNING: Legal advice with respect to Golden Ring?

DOTY: Yes.

GILLILLAND: Moved by Mr. Doty, second by Mr. McNally.

THE COMMITTEE MOVED INTO EXECUTIVE SESSION AT 10:45 A.M.
TO DISCUSS LEGAL ADVICE WITH RESPECT TO GOLDEN RING
AND RETURNED BACK INTO OPEN SESSION AT 11:14 A.M.

GILLILLAND: I note the time is 11:14 a.m. we are out of executive session, no decisions were made. We are back in regular session at this time. Is there any more business to come before this board?

HARRINGTON: Yes, several months we voted to do an RFP in regards to having code enforcement moved to county. I'm wondering where we are on that?

MASCARENAS: Okay, so I'm glad you asked. It was back in September of last year I went back and did the research on this when this board authorized us to go out to RFP on this. We've done a lot of research on this and the thing that we're struggling with is we don't really have a commitment from any one town that saying that they want to utilize a contract to do codes so when I put that RFP out on the street it's impossible for somebody to respond to that not knowing what they are committing to. So, are they committing to Elizabethtown, Moriah, North Elba, Ticonderoga if so, they are going to need seven employees or whatever that may be right and how do I know what I am hiring for? So what we're struggling with is defining the amount of work somebody is going to have under a contract in that scope. So what we've done instead Mr. Harrington is we've developed a template that any community could put out on their own. So we do have an RFP ready to go, if you feel like you need to go out to RFP for that we would just plug in your data in Crown Point and that would hit the street. Unless there are some of you that are ready to roll with it and I can define it better so a company knows what they are bidding on then I can't define the RFP real well.

McNALLY: This isn't for zoning this is for building codes right?

MASCARENAS: You all have a different idea of what you want and need.

McNALLY: Because building codes, counties do handle building codes in other counties.

MASCARENAS: Sure they do.

McNALLY: The zoning is very difficult because everyone has their own zoning but everyone uses the same building codes.

MASCARENAS: Some of you were looking for enforcement while others were looking for permitting and anything in there in between so it's hard to define it based on each individual town.

SCOZZAFAVA: The initial discussion was for code enforcement, building permits, property maintenance coverage, use and I've had some discussion with my town board and we certainly would sign onto it. Our code enforcement officers, we have two, one is getting ready to retire, the second one is close behind him and it's like trying to find somebody to run for Assessor, try and go find a Code Enforcement Officer it's very difficult to do. The biggest issue that I've seen is you're supposed to have NYS uniformed building and fire codes and let me tell you we are far from especially in my line of work, who works with contractors doing electrical and so on, the codes in this county are all over the board it depends on who you are and who your inspector is. I'm sure we've all heard, if they can do it that way in Crown Point and we can't here, they can do it that way in Moriah but not here, so I certainly feel that my community would support it. Combined right now we pay probably \$30,000 a year for two code enforcement officers who work part time so I mean, and I understand what you're saying Mike we can't do a commitment until we have a commitment, this body here you have to wear both hats here, until we have a commitment from how many towns are going to sign up for this if and fact we do go out there and start doing uniformed codes? Or are we going to contract with each one of these individual communities before we can have any kind of a handle on how many people we would even need to hire.

HARRINGTON: Yes, Crown Point has had a code enforcement that was totally, totally ineffective. We now have a Code Enforcement Officer that is doing a superior job, that having been said, we can't be assured that he is going to stay so even though we are very happy with that person I would want to have something in place that is more secure. So, I would want to move forward with this.

MASCARENAS: I certainly understand so if you're ready to move forward regardless of this individual we would need for the Town of Crown Point put that as your data information on your properties and I can send that to you and what that looks like so somebody knows what they are actually responding to in an RFP and knowing that they can commit those resources to your community but I'm a person bidding on that and it's a just in case I'm probably not going to respond, right? So, you're on contract just in case we need someone is kind of tough for somebody to respond to.

HOLZER: So, Tom, back in the day didn't the county have an actual Code Enforcement Department?

SCOZZAFAVA: When I came on board we had countywide code enforcement. McDougal, I think his name was, he was the head of it. We had a guy from Keene, I can't remember his name. Wilmington, he was an electrical inspector but it was a good program. Unfortunately, what happened at the time, in my opinion I was here is that the politics got involved so in other words, the County guy went down in Moriah and started to enforce codes and then your constituents called you up and said, what the heck is he doing here? We should be doing our own codes. That unfortunately, we did away with the Code Enforcement Office.

HOLZER: So, wouldn't this be a revisit to that then because I'm not sure what Mike is asking where you are just getting the data from one individual town makes sense?

SCOZZAFAVA: I mean all have, because we just had to file with New York State all of our Code Enforcements and all of our Building permits and so on that we've issued in 2023, so we should but I would think to move forward on this I think we should ask for a resolution or Mike could really do it or Shaun from each town board to see how many would support this concept and if your town board supports it then great, if they don't, they don't at least we've got some numbers here to work with. Some towns, I can't see us taking on a town like North Elba, we'll take all the money they will give us but we don't want to do code enforcement.

DOTY: You back at that again?

SCOZZAFAVA: But I can tell you that it is something that is desperately needed. Other counties do it. Clinton County they do all property maintenance I believe. I think they do it right from their Sheriff's Department.

WINEMILLER: Has anyone looked into if it's legal to hire a company to perform code enforcement for a town? Because I did reach out to the Comptroller's office and I was told that that was not acceptable.

MASCARENAS: I stole the RFP so it's not nothing I made up, it was out there so I am assuming that it's okay. Others have done it but I guess we can certainly look into that.

WINEMILLER: If it's county wide I think that is different but if it's not county wide then it is something else and that was what I was told so I would just suggest that we just verify that this is acceptable prior to moving forward.

GILLILLAND: It might be, it's an employee issue.

DELORIA: I know that there are some towns that probably will buy into this but I know of other towns that absolutely won't. My thought is Mike, why not a survey something you can send out to the Board of Supervisors and say, okay, this is what the concept plan is how would that fit you? I know my code guy, he is going to age out so I'm looking for another individual that I can bring onto this level maybe zoning and planning and certify them but we just spent all this money sending him to these classes and stuff which are required a certain number of hours each year so I'm thinking a survey.

GILLILLAND: I went three months without a code enforcement officer which was hell and the State, if you don't have one the State is required to provide those services but the word required is not in the lexicon of the State except telling somebody else to do something but I just hired a guy, I went out on Indeed and brought him up from Atlanta and he's I think 27 years old and he

came with all these National certifications and stuff and brought him up here and we pay him \$63,000, so I probably don't want to get rid of my guy anytime soon unless he goes somewhere else but maybe if we're taking a look at this exceptional kind of like looking because I think eventually, this is the way it's going to go. Little towns can't hire these kind of people at the rates that some of these people, that get the qualifications to get hired in Glens Falls, Queensbury you know those kinds of areas so if we go ahead like you said, with this survey get a core group of towns that are willing to try it and see if it works and make it expansible after that.

MONTY: I guess my question which will be the first one my board asks me is going to be, number one, costs? Then you've got to factor in does a community such as Newcomb may only get X number of requests for building permits and stuff are they going to be paying the same as the town of North Elba who probably has the most or Moriah? So those things would have to be proportionate to the size of the community, the number of permits issued, the number of inspections and stuff and my second part of that is, can't we just have Jim do it?

MASCARENAS: No.

MANNING: Another option is don't have the county do it. I mean, we play a role in putting out an RFP but the towns that want to group together and hire code people, do it by inter municipal agreement that gets by what Davina has stated, what the Comptroller has stated that the county can't do it. I think I understand why if you're just doing it in bits and pieces you are not providing a county wide service so the towns could enter into a inter municipal agreement with one or more or many code enforcement officers and then each town would pay a different amount depending on whatever data you want to use to make it fair with population or look at past records or whatever rather than the county get involved.

MASCARENAS: For me, the county is supporting the communities with support on a contract and is obviously easier. I don't have to build a whole new office of code enforcement individuals. I don't have to find money that doesn't exist in the current budget to do this. So there is a lot of logistics that we would have to figure out in terms of startup of a whole new office that isn't going to meet your needs probably quickly for sure. You've seen how this EMS thing, we're still getting to where we are finalizing that and got a good plan for that but any adjustment to our current planning is certainly going to have an impact on your budget moving forward.

GILLILLAND: It's a great idea but when you're talking about codes and stuff from experience, you run into a cultural issue. Essex and Willsboro did this. We provided a day and a half a week to provide to the Town of Essex but the cultural difference between buildings in Essex and buildings in Willsboro was significant enough that the whole thing fell on its face because it was just as Tom was describing here is this guy coming from the milling town coming down and telling us how to do our business and sparks started to fly right away. It's just, to do that it would take some significant intervention by the supervisors involved in this consortium for this to work.

SCOZZAFAVA: In my opinion anyway, I think Charlie probably also, I mean, one of the toughest issues that we have to deal with that I've dealt with it isn't so much going out issuing permits for a building when somebody constructs a new building, you want a new addition and so on, property maintenance is the issue. That's the elephant in the room here and it's very difficult to enforce. You go out you enforce it as Dan you know you've got to do all the right paperwork, I've got two burned out buildings right now, you don't have the tools at your disposal to deal with all of that unless you go out and get an attorney and hire an attorney. Bill Tansey has helped us out on some of these issues through the county but that's, correct me if I'm wrong, that's what I feel is

the real issue here are property maintenance codes. That's the issue. Clinton County it's my understanding, currently has one of their deputies I'm not sure if it's a civil officer but they do the property maintenance issues and I think they contract out with each individual town, I'm not asking Essex County to do this on their back I think if you're in Moriah doing this work then you should be paid by the Town of Moriah you shouldn't be paid by the Town of Schroon Lake they are not doing it so you know, I think any town if we go that route certainly should pay their own way for whatever services are provided.

MANNING: It's a really, really complicated issue and the major, major problem with it is money. you can go through your town and pick out every blighted property, every dilapidated property and you can issue all the summons and warrants you want, they don't care, the owners don't care, you can foreclose on them and take them back but the bottom line comes down to this, you've got to pay to remove them and then, it can be placed on the tax rolls but then becomes an issue for the county because the county makes good on all the tax warrants so immediately we pay you guys back but then, we have a bad piece of property that we try and sell at tax foreclosure and we get \$250 for it and we've already put \$24,000 into legal fees, demolition costs or more depending on what you're getting into. So that's the biggest issue.

SCOZZAFAVA: You're right. It turns into a paper trail. Right now I've got two burned out properties that I'm dealing with in the Town of Moriah and we've contacted the owners and they are from Ticonderoga, they haven't paid taxes on that property in three years, it's going to be foreclosed on. You know I realize that you know, they are not going to go in there and take it down so I've got to price it and the town goes in and ends up taking it down what's left of it and you're looking at \$50,000 plus because you've got to go through all the environmental review, everything you take out of there has got to be hauled out of there to a landfill, a special landfill so you're right, it's like trying to get blood from a stone and the property owner is just going to walk away from it.

MASCARENAS: Why don't I just send the board the RFP that we've been working on for several months now so you can see kind of what we're dealing with. We can start there before we get a formal resolution passed by this board kind of directing us in what direction. I still think you should go out to RFP first because it's going to set a baseline in terms of cost. If a private contractor is allowable and a private contractor can do it at a price that's cheaper than the county picking it up then we probably should absolutely be doing that. So without knowing a cost of an RFP you're not going to know if it's comparable to what we can provide it for so I think if we are really going to make a decision on this long term the RFP is going to be a process to determine that baseline costs.

SCOZZAFAVA: And back to what Dan was saying, he's absolutely correct it all revolves around money. I mean we could have the Attorney General up here enforcing property maintenance codes, the bottom line is if they don't want to clean it up, we as a municipality have that responsibility, we clean it up, what do we do, we put it on the warrant the county ends up paying the bill for it and the people that walked away from that property they just walk away from it, free and clear.

MONTY: And it's less money the Governor gets if we make a profit on it.

SCOZZAFAVA: You've got to understand, we are going to need building code officers because we're going to have a big housing move here shortly with the Governor's proposal, we are going to have houses going up all over this county.

GILLILLAND: Any other discussion on this matter or any other business before this board?

MONTY: Not on this matter, I just want to bring to everyone's attention here that our local Head Starts, because our numbers are down we're losing funding from the Federal Government and the biggest stumbling block within that is the fact that they based everything off the Federal minimal wage verses New York State minimal wage so we have a lot of families who fall through the cracks because they make too much money if you can believe that. So these children aren't eligible for Head Start. We just had a meeting last week on that with the Feds, we asked them some very pointed questions. There's a single mother, she was in Washington County who works, she can only work 30 hours a week because if she works more, she doesn't qualify for her children to go to Head Start and Head Start is huge. So I urge you if you know of any families like that let's contact our Federal representatives because we are through ACAP that way as well to see if we can get that changed because the State minimal wage is \$14.60?

MASCARENAS: I can get the exact number, you're right in the ball park \$14.65- \$15.20.

MONTY: But the Federal rate is \$8.75 so they base eligibility of these children on Federal level of \$8.75, which is not a living wage for anybody so I just wanted to bring that to your attention in case you hear of any children falling through the cracks and to me, it's not a good thing. Thank you.

GILLILLAND: Thank you. Any further business to come before this board? Okay, being none. We are adjourned.

As there was no further discussion to come before this regular board meeting it was adjourned at 11:35 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors