

REGULAR BOARD

Monday, April 3 - 10:00 AM

Shaun Gilliland, Chairperson
Jim Monty, Vice-Chairman

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

Department heads present were: Angie Allen, Jim Dougan, Emily Evatt, Dan Manning, Mike Mascarenas, Jack Moulton, Heather Sheehan and Matt Watts.

Deputies present were: Dina Garvey

News Media present: Sun Community News, Adirondack Daily Enterprise

GILLILLAND: Note the time is 10:00, call this Regular Board of Supervisors meeting to order, join me in the Pledge of Allegiance, please. Roll-call, please.

I don't think we have any guess this morning, just kind of a couple of quick updates.

Mr. Scozzafava and I had discussions with Department of Corrections and Empire State Development met with the Governor's staff about what's going on with Moriah Shock and you know, we used to call it in the Navy the amphibious salute and so essentially, right now, I talked with Mr. Scozzafava. I'm going to be releasing a letter to the Adjutant General of New York saying that facility was built as a military facility. It would probably perfect the National Guard and request that they come and take a look at it.

Additionally, we also had a meeting, Mr. McNally and I with some of Governor's staff and with Office of Community Renewal, etc., about issues concerning the housing, affordable housing, up here, compared to downstate and Westchester County and Long Island and things and tried to point out that things up here are different. It's not cookie cutter. You know, New York State is not homogenous zone and they basically, unfortunately, didn't even know that the APA was, controlled where we could build housing and etc. Just kind of a lack of understanding of what goes on here. So, I was just was wondering, real quick, how many towns here, have excess hamlet area that developers are like just trying to get into as quickly as possible?

Mr. Wright, you're good? You have lots?

WRIGHT: No, we have one area that one developer is looking into now. Expanding the hamlet would help.

GILLILLAND: And we're going to be going forward with that. So, Mr. McNally is working on that. Alright, that was just kind of a quick report on that.

MCNALLY: Can I add a few things on that? It was disheartening to realize, the produced maps of certain towns that were housing on ¼-acre lots, compared to eight houses per acre and then we brought up the zoning. They were unaware of the zoning, but just a couple points on the APA zoning. There's almost 6 million acres private and public lands in the Adirondack Park, of that 53,000 is hamlet. There's towns in the Park that have no hamlets. This document is coming from

50 years ago, when this APA act was, that's when we decided where the hamlets are. They can change that and the only affordable housing that we're going to generate in the Town of Minerva is if we go with hamlet expansion and I think hamlet expansion, right now, the Governor with her housing, this is the time to bounce on this and get our hamlets expanded. If we get people to build, fine, if we don't fine. but, at least we'll have an opportunity and that's all we're asking for is opportunity. Thank you

HARRINGTON: You realize that hamlet expansion is contingent upon district water and district sewer and that's what holds everything up?

MCNALLY: That is not. That is not a specific fact. That is what the APA is using, but that doesn't mean that has to be the law. That was not established in the original APA Act that there had to be sewer and water. That's just an additional rule that they put on. There's towns that have no sewer or no water that have hamlets. So, that argument does not hold water and this can all be changed. It can be changed by the Governor.

GILLILLAND: Okay, anything else? Alright, we'll go to resolutions, please.

RESOLUTION #82 - AUTHORIZING THE PERMANENT APPOINTMENT OF DANIEL WOODS TO THE POSITION OF DIRECTOR OF WEIGHTS AND MEASURES.

This resolution was moved by Mr. Monty seconded by Mr. Wright and adopted.

RESOLUTION #83 - AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACTS/AGREEMENTS OR PURCHASE ORDERS.

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

**AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)**

RESOLUTION #84 - OF APPRECIATION TO JAYNE KING UPON HER RETIREMENT FROM THE ESSEX COUNTY DISTRICT ATTORNEY'S OFFICE

This resolution was moved by Ms. DeZalia, unanimously seconded and adopted

RESOLUTION #85 - AMENDING RESOLUTION NO. 298 OF DECEMBER 6, 2022, ENTITLED "AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACT/AGREEMENTS OR PURCHASE ORDERS"

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

**AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)**

RESOLUTION #86 - AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO BID FOR VARIOUS DEPARTMENTS

This resolution was moved by Mr. Scozzafava seconded by Mr. Barber and adopted.

RESOLUTION #87 - IN SUPPORT OF A LETTER TO CANADIAN PACIFIC RAILWAY ADDRESSING RAILWAY SAFETY CONCERNS IN ESSEX COUNTY

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

RESOLUTION #88 - AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

RESOLUTION #89 - CONGRATULATIONS AND APPRECIATION TO ROBERT "BOB" MCGOLDRICK FOR HIS MANY YEARS OF SERVICE WITH ESSEX COUNTY MENTAL HEALTH DEPARTMENT

This resolution was moved by Mr. Tyler unanimously seconded and adopted.

RESOLUTION #90 - ADOPTING AND APPROVING THE REVISED POLICIES AND PROCEDURES AND QUARTLEY REPORTS FOR THE HOME HEALTH SERVICES FOR 4TH QUARTER OF 2022, WHICH WERE APPROVED BY THE PROFESSIONAL ADVISORY COUNCIL (PAC), PUBLIC HEALTH ADVISORY COMMITTEE (PHAC) AND THE MEDICAL DIRECTOR, ON MARCH 7, 2023

This resolution was moved by Mr. Doty seconded by Ms. Wood and adopted.

RESOLUTION #91 - SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK

This resolution was moved by Ms. Winemiller unanimously seconded and adopted.

RESOLUTION #92 - AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

RESOLUTION #93 - JOINING THE NEW NATIONAL SETTLEMENTS WITH PHARMACIES WALGREENS, WAL-MART, AND CVS APPROVING THE EXECUTION OF A WAL-MART, NEW YORK PAYMENT OPIOID SETTLEMENT SHARING AGREEMENT, RELEASE AND ANY OTHER ASSOCIATED DOCUMENTS; THE CVS NEW YORK PAYMENT OPIOID SETTLEMENT SHARING AGREEMENT, RELEASE AND OTHER ASSOCIATED DOCUMENTS; WALGREENS NEW YORK PAYMENT OPIOID SETTLEMENT SHARING AGREEMENT, RELEASE AND OTHER ASSOCIATED DOCUMENTS AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME TOGETHER WITH ANY AND ALL OTHER NECESSARY AND PERTINENT DOCUMENTS REQUIRED TO SETTLE ESSEX COUNTY'S INTEREST IN THE CURRENT NEW NATIONAL SETTLEMENTS WITH WAL-MART, WALGREENS AND CVS

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

RESOLUTION #94 - AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE AND FORWARD A CONTRACT EXTENSION WITH THE OFFICE OF INDIGENT LEGAL

SERVICES ALLOWING ESSEX COUNTY TO USE UNSPENT FUNDS FROM PRIOR YEARS AND EXTENDING THE CONTRACT UP AND THROUGH MARCH 31, 2024, IN ORDER TO SPEND THE UNSPENT FUNDS ON THE CURRENT FIVE YEAR GRANT

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

RESOLUTION #95 - AUTHORIZING THE PAYMENT TO HOLCOMBE ABSTRACT CORPORATION FOR ABSTRACT OF TITLE WORK ON THE WESTPORT HOTEL, IN THE AMOUNT OF \$800.00; AND FOR ABSTRACT OF TITLE WORK ON THE GOLDEN RING PARCELS, NORTH ELBA, IN THE AMOUNT OF \$1,200.00

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

RESOLUTION #96 - AUTHORIZING THE ESSEX COUNTY ATTORNEY TO CONTINUE NEGOTIATIONS WITH THE NEW YORK STATE POLICE RELATIVE TO THE LEASE OF SPACE AT THE PUBLIC SAFETY BUILDING

This resolution was moved by Mr. Monty seconded by Mr. Holzer and adopted.

RESOLUTION #97 - DENYING A REFUND OF WATER/SEWER BILLS OF JOSEPH SINISGALLI, IN THE TOWN OF TICONDEROGA

This resolution was moved by Mr. Wright seconded by Mr. Monty and adopted.

RESOLUTION #98 - AUTHORIZING AN ESSEX COUNTY STUDENT TRAINEE PROGRAM FOR SUMMER 2023 EMPLOYMENT

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

RESOLUTION #99 - IN SUPPORT OF MICHELLE JEBB, TOWN OF TICONDEROGA, AS A MEMBER TO THE LAKE GEORGE PARK COMMISSION BOARD OF COMMISSIONERS

This resolution was moved by Mr. Wright and unanimously seconded and adopted.

RESOLUTION #100 - PROCLAIMING THE WEEK OF MAY 21-27, 2023 AS EMERGENCY MEDICAL SERVICES WEEK

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

RESOLUTION #101 - AUTHORIZING THE COUNTY CHAIRMAN TO EXECUTE CHAMPLAIN NATIONAL BANK ACCOUNT AUTHORIZED SIGNATURES FOR THE ESSEX COUNTY DEPARTMENT OF SOCIAL SERVICES

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

AYES: 2621 votes
NOES: 0 votes

ABSENT: 128 votes (DeLoria, Wilson)
ABSTAIN: 104 votes (Monty)

RESOLUTION #102 - OPPOSING THE PASSAGE OF CONSERVATION SUBDIVISION DESIGN BILL A04608 AND CORRESPONDING SENATE BILL
This resolution was moved by Mr. McNally, unanimously seconded and adopted.

TABLED

RESOLUTION #103 - AMENDING RESOLUTION #73 OF MARCH 6, 2023, ADOPTING A HOME RULE REQUEST FOR ENACTION AND ADOPTION BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL A04976-A AND ENACTION AND ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL S4072-A 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, 2025

GILLILLAND: This does require 2/3rds.

MANNING: I'm going to ask that we table this until the end, because we're supposed to have another resolution in its place. I mean, hold on for one second. We'll just table this until the end and come back to this one.

SCOZZAFAVA: I'll withdraw my motion.

GILLILLAND: Alright, we'll shift it to the end, thank you.

RESOLUTION #104 - REQUESTING GOVERNOR KATHY HOCHUL AND THE NEW YORK STATE PUBLIC SERVICE COMMISSION TO DISMISS NEW YORK STATE ELECTRIC & GAS (NYSEG) AND RG&E RATE HIKE REQUEST AND TO CORRECT THE BILLING PROBLEMS BEFORE RATE HIKES ARE CONSIDERED
This resolution was moved by Mr. Monty, unanimously seconded and adopted.

RESOLUTION #105 - DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH
This resolution was moved by Ms. DeZalia, unanimously seconded and adopted.

RESOLUTION #106 - RECOGNIZING LONG-TERM EMPLOYEES OF ESSEX COUNTY
This resolution was moved by Mr. Scozzafava, unanimously seconded and adopted.

GARVEY: A resolution adopting local law no. 2 of 2023

GILLILLAND: 12 to allow it on the floor, please?

GARVEY: Yes, you do.

RESOLUTION #107 - ADOPTING LOCAL LAW NO. 2 OF 2023
This resolution was moved by Mr. Scozzafava, seconded by Mr. Merrihew and adopted, upon a roll-call vote as follows:
AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

GARVEY: Resolution opposing Assembly Bill A.5607, requiring counties to return excess (surplus) funds received from tax auctions to the prior property owner.

GILLILLAND: I need 12 to allow it on the floor for the record, thank you.

GARVEY: Yes, you do.

RESOLUTION #108 - OPPOSING ASSEMBLY BILL A.5607 REQUIRING COUNTIES TO RETURN EXCESS (SURPLUS) FUNDS RECEIVED FROM TAX AUCTIONS TO THE PRIOR PROPERTY OWNER

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

GARVEY: Resolution introducing property local law no. 3 of 2023 entitled, "A Local Law superseding the residency requirements of public officers law §3 for the positions of assistant public defender and assistant conflict defender of Essex County"

GILLILLAND: Do I have 12 to allow it on the floor?

GARVEY: Yes, you do.

RESOLUTION #109 - INTRODUCING PROPERTY LOCAL LAW NO. 3 OF 2023 ENTITLED, "A LOCAL LAW SUPERSEDING THE RESIDENCY REQUIREMENTS OF PUBLIC OFFICERS LAW §3 FOR THE POSITIONS OF ASSISTANT PUBLIC DEFENDER AND ASSISTANT CONFLICT DEFENDER OF ESSEX COUNTY"

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

GILLILLAND: More from the floor?

MASCARENAS: So, yeah, we did a, Jim kind of prepared you guys last week. We had to reject the original blacktop bids that had come in, because of some errors in the process. These are what we would like to award. Jim's in the audience if you want to have him come up and explain it, we certainly can do that. You can see there's a variety of mixes that are approved and the towns that they will be delivered to, the resolutions have to be written as such, but he certainly can come up if you want him to or we can move to the resolutions if you feel comfortable awarding those.

GILLILLAND: Any questions for Mr. Dougan, anybody? Okay, being none. So, we can do the entire memo.

MASCARENAS: There's four separate resolutions.

GILLILLAND: They can be done all at once, if that's okay? Do I have 12 to allow that on the floor as presented?

GARVEY: Yes, you do

RESOLUTION #110 - AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE

CONTRACTS/AGREEMENTS FOR PURCHASE ORDERS IN THE DEPARTMENT OF PUBLIC WORKS, AS IT RELATES TO ASPHALT DELIVERED

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

GARVEY: Resolution amending resolution #149 of 2022, authorizing the Purchasing Agent to award a purchase order to RR Charlebois, Inc. in the amount of \$149,750.00 got a new and unused 1011 Freightliner single axel truck with century rollback body to come from budgeted funds, further authorizing the County Chairman or County Manager to execute the same.

GILLILLAND: Do I have 12 to allow that on the floor as presented?

GARVEY: Yes, you do

RESOLUTION #111 - AMENDING RESOLUTION #149 OF 2022. AUTHORIZING THE PURCHASING AGENT TO AWARD A PURCHASE ORDER TO RR CHARLEBOIS, INC. IN THE AMOUNT OF \$149,750.00 GOT A NEW AND UNUSED 1011 FREIGHTLINER SINGLE AXEL TRUCK WITH CENTURY ROLLBACK BODY TO COME FROM BUDGETED FUNDS, FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME.

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

AYES: 2725 votes
NOES: 0 votes
ABSENT: 128 votes (DeLoria, Wilson)

GILLILLAND: Do you want to go back to #103?

MANNING: Yeah, okay #103 is good. It is just in my packet we had one that was amended, that had different language that was placed in my packet that my office puts together and the one that you have before you is the correct resolution. I just wanted to make sure, so we're good.

GILLILLAND: Discussion? Being none, roll-call, please. It requires 2/3rds.

RESOLUTION #103 - AMENDING RESOLUTION #73 OF MARCH 6, 2023, ADOPTING A HOME RULE REQUEST FOR ENACTION AND ADOPTION BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL A04976-A AND ENACTION AND ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL S4072-A 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, 2025

This resolution was moved by Mr. Scozzafava, seconded by Mr. Holzer and adopted upon a 2/3rds roll-call vote as follows:

AYES: 3721 votes
NOES: 0 votes
ABSENT: 170 votes (DeLoria, Wilson)

GILLILLAND: Anything further to come from the floor?

TYLER: I'm not sure in my absence if one was done, but I would like to do a resolution of condolence to William Johnston. A long-time Planner for Essex County, his wife, Meredith passed away.

GILLILLAND: 12 to allow that on the floor, please?

GARVEY: Yes, you do.

RESOLUTION #112 - OF CONDOLENCE TO THE FAMILY OF MEREDITH JOHNSTON
This resolution was moved by Mr. Tyler, unanimously seconded and adopted.

BARBER: I would like to offer a resolution of condolences to the family of John Nicholas Clark who passed away on March 3. Whereas, John was one of the originals on the Town of Chesterfield's Planning Board. Also, served for several years on the Board of Assessment Review. John also served at the Keeseville Elementary School for many years. As I got to know John, personally, as he lived down the road from me. We would also share deer hunting stories and one of his biggest things he enjoyed was hunting with his grandkids.

GILLILLAND: Do I have 12 to allow that on the floor?

GARVEY: Yes, you do.

RESOLUTION #113 - OF CONDOLENCE TO THE FAMILY OF JOHN NICHOLAS CLARK
This resolution was offered by Mr. Barber, unanimously seconded and adopted.

BARBER: I also have another resolution of condolences to the family of Robert J. Russell, more known as Bob, who passed away on March 4th. Whereas, Bob served 25 years of service in the United States Navy. During his 25 years of service, he served on numerous submarines, even a couple of nuclear submarines in the New England region. He received a Navy achievement medal for professional achievement in 1981, while serving on the USS Alexander Hamilton and the Navy Accommodation Medal for meritorious services while serving on the USS Nautilus in 1985 through 1986. After retiring from the Navy in 1988, Bob and June moved to Keeseville. They purchased the Holiday Travel Campsite, which they owned and operated until 2012. For several years he served as a member of the Planning Board and the Zoning Board of Appeals for the Town of Chesterfield. Whereas, Bob served as a member of the Keeseville Chapter of the Veterans of Foreign Wars Post 1505 and a member of the Am Vets. Bob was very proud of his military service and his service to the VFW. I, myself only got to work with Bob for short time, for two years, and he was always upbeat and friendly. I am sure that he will be sorely missed by all. Thank you.

GILLILLAND: 12 to allow on the floor?

GARVEY: Yes

RESOLUTION #114 - OF CONDOLENCE TO THE FAMILY OF ROBERT (BOB) RUSSELL
This resolution was moved by Mr. Barber and unanimously seconded and adopted.

GILLILLAND: Anything further?

MASCARENAS: Just one announcement really, Department of Social Services, Commissioner

Allen, left these on your desks. These are for Child Abuse Prevention Month and following this meeting, I told her at 11:00, it looks like we're going to be done a little early. So, maybe she can get some of her staff over here a little more quickly. They're going to do, place pinwheels, outside for any of you that would like to join her and her team in doing that.

GILLILLAND: Thank you. Anything else to come before this Board? Being none, we are adjourned.

AS THERE WAS NO FURTHER BUSINESS TO COME BEFORE THIS REGULAR BOARD, IT WAS ADJOURNED AT 10:30 a.m.

Respectively Submitted,

Dina Garvey, Deputy Clerk
Board of Supervisors