

**WAYS & MEANS COMMITTEE**  
Monday, March 25, 2024 - 10:00 AM

James Monty, Chairman  
Charlie Harrington, Vice-Chairman

Chairman Monty called this Ways & Means committee to order at 10:00 am with the following Supervisors in attendance: Clayton Barber, Matthew Brassard, Chris Clark, Robin DeLoria, Derek Doty, Shaun Gilliland, Ken Hughes, Steve McNally, James Monty, Cathleen Reusser, Favor Smith, Matt Stanley, Ike Tyler, Davina Winemiller, Margaret Wood and Mark Wright. Charlie Harrington and Joe Pete Wilson were excused.

Department Heads present: James Dougan, Judy Garrison, Mary McGowan, Dan Manning, Michael Mascarenas, Jack Moulton and Matt Watts.

Also present: Colin Mangan and Nicole Justice-Green.

News media: None present.

MONTY: Good morning everyone. It's 10 o'clock I will call the ways and means to order. If you would join me in the pledge please. Thank you. Roll call Judy, please. Thank you Judy. This morning we have a guest, Colin Mangan is here to give us a brief introduction on the enforcement and importance of the cost of codes enforcement. I guess we have a power point as well.

MANGAN: Good morning everyone. For those of you that don't know me my name is Colin Mangan. Thank you for having me. I created this presentation for the four towns I work in but Supervisor McNally thought it would be a good refresher for some other supervisors to hear it so here I am.

This is a bridge version I'm going to move pretty quick I don't have a ton of time so if you could hold your questions until the end. I'm going to cite a lot of code sections and New York State Executive Law. I don't have the actual references in this presentation but upon request anyone that would like to see those send me an email and I will make sure I send them right out.

I work code enforcement for four towns in Essex County, Minerva, Newcomb, Crown Point and Essex and I'm on the ZBA in the Town in which I reside Schroon Lake. I've been in code enforcement since 2020, and a lifelong construction guy.

One of the main points here is I want to review some of the lessor known provisions of both State Executive Law and Uniformed Code. Title 19 part 1203 defines the minimum standards for enforcement. Again, I can forward this everybody it is an easily source documents if anyone would like to read it and then go over some of the resources available to code enforcement through the town that help to be more effective.

Responsibilities of the code office, some not all FOIL requests, property maintenance enforcement, enforcement of state regulation outside of the building code, planning and zoning, reporting and records retention, fire safety inspections, operating permits, planning review, permitting and inspections.

FOIL requests – just some. You might be thinking they don't all fall under an official FOIL but I found out if you demand they go through the proper channels once the party initiating the request does all this they found out they have asked for more information than they originally would have and sometimes it is a time saver to just provide what they are looking for so property retention organization really helps to expedite these requests we'll talk about that later as well as the administrative report.

Property maintenance code – there is a dedicated code book for property maintenance code many of you probably already know this it's a great, effective tool for addressing blighted properties. It is just generally speaking, property maintenance enforcement is very tasking. Some of the tasks involved with property maintenance, inspections, issuance of notices, court appearances, follow up inspections kind of the main take away here is it's a labor intensive aspect of enforcement. Inspections and court appearances they can't be delegated you have to attend and I could have a presentation on property maintenance but we're going to keep this brief.

Enforcement of State and Federal regulation outside of the building code. So FEMA, Department of Labor, Department of Health, APA, CPS, Department of Ed these are all things that I run into on a day to day basis so DOL, DOH and DOE are all cited right in the building code, the uniformed code I can provide the excerpts upon request. APA and CPS are more residual but it's still there you can tell yourself as a code enforcement official that well I don't enforce APA guidelines there's overlap with your towns and the APA and it is just something we have to deal with and then FEMA whether you are aware of this or not we are the code official is the flood plain manager for the national flood insurance program that is signed into town law, everyone's town law sometime in the mid 80's and with the recent flooding last year DEC and FEMA reached out to all of us to remind us that we are the flood plain managers.

Planning and zoning – so we are not the zoning officer, we are not on planning boards, we're not on obviously out working or on the zoning boards but those boards always seem to want input from the code officials and it's important because reviewing preliminary review of both ZBA, variances and/or planning boards special use permits a preliminary review would get ahead of some issues. I've seen a planning board approve something that was not code compliant built into a fire code so talk about a huge waste of time go through the entire planning board process and then at the end they go to get a building permit the code officials says I'm sorry you can't do this so having a good working relationship with the planning and zoning boards I feel is prayed on.

Reporting records retention – this is just kind of part of the job. Monthly reporting to town boards, planning, ZBA boards, annual reporting to the Dept. of State, reporting to the assessors when permits are issued or closed and kind of the big one is to retain, organize and file all permanent records and doing it effectively this is a big part of the position.

Fire safety inspections – that is Schroon Lake the church on Main Street no one was injured thankfully. Back to NYS Executive Law, Title 19 part 1203 defines the requirements of fire/safety inspections. They are required every year for assembly occupancies and private schools and every three years for multi-unit housing that's three units or more and for all commercial businesses and town owned buildings are not exempt. The notification of property owners and tracking is daunting I couldn't think of a better word but just keeping track of all the multi-unit housing and commercial businesses and when their last inspection was this is a challenge. They do have the option of third party inspections which are more expensive than what the town fees would be but we are required to accept those and the properties that fail to comply we are required to take enforcement action.

Operating permits are relatively new. The Dept. of State actually updated the Title 19 in 2021 or 2022. I suspect it had something to do with Covid there's a lot more outdoor events happening and that's a picture of a food truck exploding that's more happening more than you expect right now.

I've recently consolidated some of the pages regarding operating permits for supervisors. I would be happy to forward that along. If you ask one of them I'm sure they could forward the email just to kind of highlight all of the activities that would require an operating permit. I'd be shocked if every town didn't have at least one activity that required an operating permit as you can see in the last note there any event with 1000 people or more, hazardous material storage, fumigation, crop ripening, flammable spraying any events with food trucks, fireworks, pyrotechnics the State

dictates we are supposed to operate permits for any of those activities.

Building permits – so all things that go along with the permit process preliminary meetings, meeting with the zoning officer to ensure zoning compliancy, plan review back and forth with the design professionals actually issuing the permit, logging into reports, giving it to the assessors, 8-10 inspections for new single family residence we most often can consolidate those inspections so it's not that many trips to the job site and then once the project is complete again, confirming zoning compliance and issuing the CO getting everybody involved.

Some questions here I'm not going to go through these but I do want to focus on the last one which is, what resources could help your Code Official become more effective? Administrative assistance. There could be someone on staff already at the town hall that has an hour or two a week just to help with records retention, filing that could increase the labor of that department by 10% to 20% at the code office if it's a one man show. Software – some of my towns have it some don't. It is pricy but worth it if you ask me so it's labor so to have that software and to also help lift that filing and records retention because it does it all electronically. If the software is cost prohibited which it often is there's other forms, spreadsheets, just tracking. I create the tracking spreadsheets for all building permits. I'm currently working on them for fire safety inspections and I would like to create one for operating permits as well. Not all code people are tech guys quite the opposite so if you have someone on staff that's helpful with technical assistance that makes a big difference.

I ran through that very quickly. Are there any questions, comments?

SMITH: I'm interested in the property maintenance and enforcement stuff does the state have its own code?

MANGAN: Absolutely. I actually brought it. It's the thinnest code book so my favorite usually they are all about this thick. This is it right here and it will handle just about any issues with kind of the blighted properties missing broken doors or windows, overgrown weeds and grass.

SMITH: Have any of the towns adopted this as their law?

MANGAN: They all have because it's the uniformed code.

SMITH: So it was adopted, what year?

MANGAN: So you would have to look back into your town law so New York State Executive Law that Title 19 Part 1203, all the towns had to have adopted some form of that in the past so it should already be on your town law stating that the town is responsible for enforcing the uniform code this is part of the uniform code.

MANNING: Generally what happens is uniformed code will come down there's many machinations of that and every once in a while, if you look in your local laws you passed a local law.

SMITH: Have they amended theirs over time?

MANNING: You will get notification and then you'll amend your local law. There are other areas too that you can use the town law section 54 provides for blighted properties and there's also common legislation that don't say zoning, code, law book or law and you're welcome to use that so there's like four or five different areas.

HUGHES: And I think there was just a rule of that in the past year or two.

MANGAN: It was updated by New York State 2021 or 2022 but that's when all the operating provisions came to play all towns should have adopted by way of resolution with that new local law.

TYLER: How much time do you spend in each town, you've got four towns?

MANGAN: I started in 2020, each town seemed to have budgeted for about a day a week okay so that's what they had budgeted in the past so when I came in –

TYLER: Well you couldn't do much more than that with four towns really.

MANGAN: No I can't but after 36 months of doing it I kind of come to realize why I create this presentation is that it's challenging not to say the least to actually accomplishment in a day a week to be effective and I'm working through a lot of those resources that we talked about just to see if I can be as effective as I possibly can.

TYLER: Right because we basically have a full time codes officer in Westport and his is busy all the time and all the stuff you put up here I can't see how effective one person in four towns can really be. That's my personal opinion.

MANGAN: Right. It's a good point and like I said I'm said, I'm trying to utilize a lot of the technology aspects. My phone is on fire. I answer emails and phone calls every day. I don't go in for a day a week and I don't do anything other than that day I'm on call five days a week. I just have to hold certain office hours so my model seems to be working and I'm saying I can do it all but I'd like to think that I am doing a halfway decent job.

DOTY: Colin do any of the four towns you work for have an unsafe building law and have you ever had to utilize it? Kind of the second part of the question is you talked about enforcement now enforcement between building code violations and getting a Judge to actually enact anything I would just like to hear your experience because talk about a challenge.

MANGAN: I've heard challenges with working with the local Justices. I've personally have had good experiences with the times that I had to go to town court and for me it's also citing the code violations clearly concisely. The first part of your question yes, there's overlap between the town law and the state law at times in a violation I sometimes reference both in the violation because I don't know which one is more enforceable or punishable. The penalties are comparable it seems like for towns \$250 for the first offense for up to so many days and all that but I usually cite every violation whether town law or building codes.

McNALLY: I think before it gets to court I think it is a deterrent to have Colin write these people a letter. A lot of times they correct it right before it goes any farther.

MANGAN: That's everyone's hope is that.

McNALLY: That is our hope. A lot of people don't realize they are out of compliance so they don't realize that they can't let the grass grow free they just don't realize it so just a nudging from the code officer seems to work in a lot of the cases. We do have a violator here or there that we go to the court and the court is very sympathetic usually to these people because they wound up

without the means or they don't understand but we encourage people to do what's right.

DOTY: One quick last one, you talked about flood plain in North Elba also signed on in the early 80's like many of the towns did. Did you just go through a renewal?

MANGAN: Yes.

DOTY: I hope you had as much fun as I did.

MANGAN: I don't know if it was so much as a renewal as a reminder because the code officials most of us, may not been aware and I know I wasn't and being relatively new 24-36 months when that came about it was news to me I was supposed to be flood manager.

DOTY: Being high water marks have changed, lots of the descriptions and you had the option to stay in or get out.

MANGAN: Yeah, it's a challenge. It's one of the things I put in there if we are tasked with enforcing another agencies regulation. So FEMA sets all the regulation for that so now I need to learn about flood plains? It's fun.

REUSSER: Can I keep that conversation going, so we have a little river here in Elizabethtown that never made the flood plain map and we had to build a bridge because of a high water events that took place so you're telling me that our local codes officer can get this on the map for us?

MANGAN: So absolutely and it's not just him anybody can do it. you can make amends to those flood plain maps and it usually goes in the other direction people that own property are trying to get out of the map, get out of those shaded areas and get a Class A but if you're trying to sell the fact that more should be inside of the flood plain that is the same type of amendment. It would take some engineering and there's some leg work involved I know it is involved in getting out of it so I'm sure it's the same process getting in.

MONTY: You can get it done because the map we used when we did ours the person wasn't very versed in what we were even talking, I don't think they ever seen the Town of Lewis other than on a map and the map was thirty years old, roads have changed things have changed and they are sending me an updated map.

REUSSER: Thank you very much.

MONTY: Thank you Colin.

MANGAN: Thank you everyone.

STANLEY: Is there a property maintenance manual is there one on the flood plains as well?

MANGAN: When I was going through that recent training with the DEC and FEMA there was like a multitude of documents that were providing to us maps and there are some online tools, there was a lot of stuff coming through so yes send me a quick email and I will forward whatever the DEC had sent me.

STANLEY: Because we have a little bit of flooding problem.

MANGAN: Thank you again.

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

**PUBLIC SAFETY**

**Monday, March 11, 2024**

**Chairman – M. Wright Vice-Chairman – I. Tyler**

- 1. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE EMERGENCY SERVICES DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE TOTAL AMOUNT OF \$1,380,700.00, RADIO PROJECT AND ARPA FUNDS. Wright, Stanley**
- 2. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A SOLE SOURCE CONTRACT WITH MOTOROLA SOLUTIONS IN AN AMOUNT NOT TO EXCEED \$1,880,700.00, FOR MAINTENANCE OF RADIO SYSTEM AND COMMUNICATION EQUIPMENT. DeLoria, Brassard**
- 3. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A ONE-YEAR CONTRACT RENEWAL WITH EMERGENCY MANAGEMENT RESOURCES, LLC FOR INSURANCE BILLING SERVICES FOR THE ESSEX COUNTY EMS PROGRAM. Stanley, Wright**
- 4. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH THE CENTER FOR GOVERNMENT RESEARCH (CGR) IN AN AMOUNT NOT TO EXCEED \$19,500.00, TO PROVIDE AN UPDATED REPORT TO THE ESSEX COUNTY EMS STRATEGIC STUDY AND STRATEGIC PLAN. Wright, Stanley**
- 5. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT (ES-24-0019) AMENDMENT WITH ESSEX COUNTY, THE TOWN OF WESTPORT AND THE WESTPORT EMS TO HIRE AN ADDITIONAL EMT IN THE AMOUNT OF \$92,936.93 (WAGES & FRINGE) WITH FUNDS TO COME FROM EMS GRANT FUNDS. Tyler, DeLoria**
- 6. RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID FOR AED's FOR THE ELIZABETHTOWN-LEWIS EMS SQUAD. Brassard, Clark**
- 7. RESOLUTION AUTHORIZING TO HIRE A SENIOR ACCOUNT CLERK, GRADE 8 POSITION IN THE EMS PROGRAM IN THE TOTAL AMOUNT OF \$74,620.65, WITH FUNDS TO COME FROM THE EMS GRANT FUNDS. Tyler, Wright**

**ECONOMIC DEVELOPMENT**

**Monday, March 11, 2024**

**Chairman – I. Tyler Vice-Chairman – C. Barber**

**NO RESOLUTIONS**

**HUMAN SERVICES**

Monday, March 11, 2024

Chairman – JP. Wilson Vice-Chairman - C. Harrington

8. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE MENTAL HEALTH DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$75,045.00, CARRY OVER YEAR 3 SAMHSA FUNDS. Doty, Barber
9. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE MENTAL HEALTH DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$98,654.97, CARRY OVER 2023 MENTAL HEALTH ASSOCIATION AND PREVENTION TEAM FUNDS. Barber, Tyler
10. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE MENTAL HEALTH DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$5,617.79, CARRY OVER 2023 SUICIDE PREVENTION COALITION FUNDS. Thurston, Reusser
11. RESOLUTION AUTHORIZING THE APPOINTMENT OF JO ANN HUSSLEIN AND DR. KRISTIN MACK AS MEMBERS OF THE ESSEX COUNTY COMMUNITY SERVICES BOARD (CSB) FOR A TERM EFFECTIVE 2/14/2024 – 12/31/2025. Doty, Hughes
12. RESOLUTION ADOPTING AND APPROVING THE REVISED POLICIES AND PROCEDURES AND QUARTERLY REPORTS FOR THE HOME HEALTH SERVICES AND PUBLIC HEALTH UNIT APPROVED BY THE PROFESSIONAL ADVISORY COUNCIL (PAC) AND PUBLIC HEALTH ADVISORY COUNCIL (PHAC) ON 3/5/2024. Brassard, Stanley
13. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT WITH THE HEALTH DEPARTMENT AND MOUNTAIN LAKE SERVICES IN THE AMOUNT OF \$70,000.00 FOR EARLY INTERVENTION SERVICES. Wright, Wood
14. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE HEALTH DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$5,000.00, LAKE PLACID ROTARY CLUB DONATION FOR THE WIC AND PICK SUMMER 2024 PROJECT. Doty, Clark

**DEPARTMENT OF PUBLIC WORKS**

Monday, March 18, 2024

Chairman – R. DeLoria Vice-Chairman – C. Barber

15. RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO IRONMAN LAKE PLACID FOR THE USE OF THE COUNTY ROADWAYS FOR THE 2024 IRONMAN TRIATHLON TO BE HELD ON SUNDAY, JULY 21, 2024. Doty, Stanley
16. RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID THE HURRICANE ROAD OVER SPRUCE HILL BROOK BRIDGE REPLACEMENT PROJECT, LOCATED IN THE TOWN OF KEENE. Thurston, Clark
17. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH TECHNICAL BUILDING SERVICE, INC. IN AN AMOUNT NOT TO EXCEED \$16,620.00, FOR CONTROL SYSTEM UPGRADES AT THE ESSEX COUNTY COURTHOUSE WITH FUNDS TO COME FROM BUDGETED FUNDS. Brassard, Wright
18. RESOLUTION 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. (TAHAWUS ROAD OVER SANFORD LAKE BRIDGE REPLACEMENT PROJECT) DeLoria, Clark
19. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE DPW BUILDINGS AND GROUNDS INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$166,713.00, CARRY OVER 2023 REPAIRS BUILDING. Barber, Tyler
20. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE DPW BUILDINGS AND GROUNDS INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$31,000.00, CARRY OVER 2023 PAVE PARKING LOT FUNDS. Doty, Barber
21. RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE DPW BUILDINGS AND GROUNDS INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$75,185.17, CARRY OVER 2023 LED LIGHTING FIXTURES. Thurston, Doty
22. RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR A NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR THE STUDY OF TRAFFIC SAFETY IMPROVEMENTS ALONG COUNTY ROUTE 35 (OLD MILITARY ROAD) LOCATED IN THE TOWN OF NORTH ELBA IN AN AMOUNT NOT TO EXCEED \$100,000.00. Doty, Thurston
23. RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD BID TO BRISTOL IN THE AMOUNT OF \$510.00, FOR THE REMOVAL OF THE POD. Brassard, unanimous

**PERSONNEL**

Monday, March 18, 2024

Chairman – K. Hughes Vice-Chairman – JP. Wilson

24. RESOLUTION AUTHORIZING A CHANGE TO THE EMERGENCY SERVICES CALL TAKER-DISPATCHER POSITION FROM A GRADE 9 TO A GRADE 10 AND THE



**SENIOR EMERGENCY SERVICES COMMUNICATIONS DISPATCHER POSITION  
FROM A GRADE 11 TO A GRADE 12. Hughes, Doty**

- 25. RESOLUTION APPOINTING CHARLES “KIP” THOMPSON TO THE BOARD OF TRUSTEES OF THE CLINTON-ESSEX-FRANKLIN LIBRARY SYSTEM FOR A FIVE YEAR TERM BEGINNING JANUARY 1, 2024 – DECEMBER 31, 2028. Barber, Reusser**
- 26. RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO ENTER INTO A RETAINER AGREEMENT WITH APRIL LAWS, ESQ. OF JOHNSON LAWS LLC TO REPRESENT ESSEX COUNTY IN THE MATTER OF STEPHEN BLANCHARD V. ESSEX COUNTY MATTER (HENNEPIN) DeLoria, Thurston**
- 27. RESOLUTION OF APPRECIATION AND GRATITUDE TO ROB WICK FOR ALL HIS WORK IN THE ESSEX COUNTY PLANNING DEPARTMENT AND TOWNS IN ESSEX COUNTY. Stanley, unanimous**

**FINANCE/TAX REDUCTION/MANDATE RELIEF**

**Monday, March 18, 2024**

**Chairman – S. McNally Vice-Chairman – R. DeLoria**

- 28. RESOLUTION AUTHORIZING A CORRECTION TO THE TOWN OF ELIZABETHTOWN 2024 TOWN AND COUNTY TAX BILL IN THE AMOUNT OF \$3,150.00, CLERICAL ERROR OF OVERPAID WATER BILL CHARGES. Reusser, Brassard**
- 29. RESOLUTION AUTHORIZING TO CHANGE THE HOURS IN THE OFFICE OF THE ESSEX COUNTY TREASURER TO BE OPEN FROM 8:00 A.M. TO 4:00 P.M. BEGINNING APRIL 29, 2024 THROUGH AUGUST 30, 2024. Tyler, Wright**

**MISCELLANEOUS**

- 30. RESOLUTION RECOGNIZING LONG TERM EMPLOYEES FOR THE MONTH OF MARCH 2024. Gilliland, unanimous**

GARRISON: Everyone has a copy of a letter from DPW on their desks, resolutions from DPW. The first one is appointing Doreen Abrahamsen to the position of Transportation Coordinator.

**RESOLUTION AUTHORIZING THE APPPOINTMENT OF DOREEN ABRAHAMSEN TO THE POSITION OF TRANSPORTATION COORDINATOR. Tyler, Wright**

MONTY: Discussion?

McNALLY: Jimmy, just one quick question is she already a current county employee?

MASCARENAS: Yes sir. She’s been operating –

MONTY: She’s been here for several years.

McNALLY: Where did she come from?

MASCARENAS: She came from Public Health initially. She was hired when Jim and Chris took over and began training for that now. We just did our local law. We are instituting the Transportation Department, she is the logically choice so just a formality at this point.

MONTY: Thank you.

GARRISON: A resolution authorizing the purchasing agent to award a purchase order in the amount of \$53,632.50 to Generation Kia Buick GMC for a new and unused 2024 GMS Sierra 1500 Pro Crew Cab 4x4 pickup truck with funds to come from budgeted funds and further authorizing the County Chairman or County Manager to execute said purchase order.

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD A PURCHASE ORDER IN THE AMOUNT OF \$53,632.50 TO GENERATION KIA BUICK GMC FOR A NEW AND UNUSED 2024 GMS SIERRA 1500 PRO CREW CAB 4X4 PICKUP TRUCK WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Tyler, Doty**

MONTY: Discussion?

HUGHES: Where is Generation Kia Buick GMC located?

MASCARENAS: That's a good question? Is it Albany or Glens Falls?

DOUGAN: Long Island.

MASCARENAS: Yeah so we just got a bunch of bids back on these vehicles. Jim actually has the funds budgeted but they fall outside of the perimeters of what I can approve per vehicle it's kind of a weird thing so he has enough for both he just didn't have enough of any one line item in those vehicles to do that, it's kind of confusing but these were the lowest responsible bidders on that. We had probably four or five different bidders that came in.

McNALLY: Is this vehicle in stock?

MASCARENAS: In stock? Yes.

HUGHES: Thank you.

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

GARRISON: A resolution authorizing the purchasing agent to award a contract to ING Civil, Inc. in the amount of \$908,400.00 for the Ensign Pont Road over Mill Brook culvert replacement project located in the Town of Moriah, with funds to come from budgeted funds and further authorizing the County Chairman or County Manager to execute said contract.

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT WITH ING CIVIL, INC. IN AN AMOUNT OF \$908,400.00 FOR THE ENSIGN POND ROAD OVER MILL BROOK CULVERT REPLACEMENT PROJECT LOCATED IN THE TOWN OF MORIAH WITH FUNDS TO COME FROM BUDGETED FUNDS. Brassard, DeLoria**

MONTY: Discussion?

HUGHES: Probably a question for Jim and if this is not the right time to have this question we can postpone it. How do we make a determination when it's time to go from two culverts to a 38 foot span bridge? When you go from a culvert to a bridge situation? How is that determined?

DOUGAN: Part of it is NYS DEC their requirement of 1.25 stream bank width so that work has been done to determine what the hydraulic is what flows through that. There's also some other requirements for capacity of animals fish that travel through that.

HUGHES: Okay so it's more than just a local decision?

DOUGAN: Yes.

McNALLY: Ensign Pond has that road been closed?

DOUGAN: Yes it is.

McNALLY: For how long?

DOUGAN: For one construction season. It will be done this year.

HUGHES: Thank you for that. I appreciate it.

DOUGAN: There's also resiliency you have the resiliency factor with an opening that large.

HUGHES: Right.

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

GARRISON: Do you want to read the next one Mike?

MASCARENAS: I can read it. So I put a resolution on your desks. I sent an email last week about county closure on the day of the eclipse. I know some people are in favor, some people aren't in favor that's fine. I can tell you the thought process behind that is really the unknown. What we do know is that our lodging is pretty much at full capacity from Tupper to Lake Placid. We know that there is a number of events in a number of communities. What we don't know right now is the day trippers and we can't predict what the weather is going to be that day. The potential for grid lock on our roads is likely going to be there depending on where you are. It may not effect individual towns depending on where you are but as a county I think the responsible thing to do is close at noon on that day. What I have attached to that resolution is the administrative intent on how we would handle that closure being that it's not contractual, it's not in the policy. I wanted the board to be aware of how we would handle that. Any questions, comments?

REUSSER: If over the weekend we start making determinations based on Sunday's influx of people what's the process for urgently closing?

MASCARENAS: In terms of if we did it quickly?

REUSSER: If we determine over the weekend that this is going to be a big deal, there's going to be grid lock. The State Police have come out last week and made a position for this Troop B area. What is our process?

MASCARENAS: The Chairman and I have authority to close the county. We've done it before but it's usually based on inclement weather, a flooding event something like that that would happen we don't close often. So we certainly have that authority being that this is an event that I feel we can plan for I wanted to get it out in front of you ahead of time. Again, my concern is what we know is when this eclipse is over everyone is hoping in their car at the same time and they are leaving and we are the second largest employer in Essex County. We have 400 people that we are going to be adding to that chaos at that point in time. A lot of our workforce also are in your fire, in your EMS you're going to be counting on them to hopefully provide some sort of traffic control on those days etc. So that's really the thought process here.

GILLILLAND: First of all I will move the resolution so we can go to discussion but second of all just for information the State Police have already gone out publically and said to plan on 8-12 hours of gridlock on the Northway that's been in the Times Union so given that so the better part of the hour is to plan for this instead of reacting to this.

HUGHES: I would like to be so bold to take the recommendation that we close for the entire day. Let me tell you why. Having the 8-4, 7-3 staff whatever that time is those day trippers are going to be coming out of Westchester, Long Island, New York City, Albany early to state their claim wherever they are going to go in our towns and our employees are going to be going potentially against that traffic to get here for three or four hours of work. I'm not sure that's worth the challenge of them getting to work and then at noon they've got to join the flow of people getting to where they've got to go. I'm worried that it's going to take longer because people are going to be established and they are going to want to find their establishment at noon because it's only two hours later I'm thinking like a rock concert.

GILLILLAND: We should second this for discussion.

MONTY: Second by Ms. Reusser.

**AMENDED:**

**RESOLUTION AUTHORIZING ESSEX COUNTY TO CLOSE ON APRIL 8, 2024 DUE TO THE SOLAR ECLIPSE. Hughes, Reusser**

HUGHES: So I just want to put that out there for consideration. Many schools closing for a day so that school buses aren't out and about.

REUSSER: I would like to echo Mr. Hughes is suggestion of closing the day and mine is in addition is based on anticipated grid lock and when people coming off of 87 down here south of us and in Westport it's really going to limit what people are ultimately going to be able to go.

MONTY: So you don't think they will get off in Lewis? (laughter)

REUSSER: Everything is full here in Elizabethtown you can't get a reservation.

MONTY: Everything is full all around.

DELORIA: I think Mr. Hughes is onto something here and just to put things in perspective we decided to pre-register people if they are going to come to Newcomb and we're over 500 now so for a little tiny town like us you can anticipate some of those people locally but you're going to also anticipate motor vehicles coming in and we're going to have congestion or we are planning on it. Just to give you an idea that's us, little ol' Newcomb down there in the corner 5,000 roughly in Lake Placid plus. Be prepared.

DOTY: Would it be a good time to also talk about the 9<sup>th</sup> when we are supposed to be back here because in my estimation that's going to be the trouble day.

REUSSER: And we know ROOST is encouraging people to stay that extra day to reduce the numbers of people moving around that day.

MASCARENAS: I didn't consider the 9<sup>th</sup> only because I didn't. I think I'm good with whatever the board wants to do. I don't know if you were offering an amendment formally Mr. Hughes or not?

HUGHES: Yes, I will offer an amendment.

REUSSER: And I will second that amendment.

MONTY: And what is the amendment?

MASCARENAS: That we close for the full day.

MONTY: Just for the full day.

HUGHES: Full day for those who are subject to that schedule.

MASCARENAS: Yeah and that's spelled out in how that would work.

DOTY: I understand the county's perspective but for myself I'm going to reserve the right to remain open on the 8<sup>th</sup> because I could very well need everybody in that town hall answering a phone system that's going to just ring off the hook as well as ROOST, as well as the arenas and everywhere where we have events planned so it's more of a need for that personnel than letting them stay home. It's a tough decision to make but I think our biggest concern is going to be weather because if highway departments are going to be involved then it really could be a mess.

MONTY: Well, I read in the Adirondack Explorer dispatch has hired more people is that correct Matt?

WATTS: We put out one additional dispatcher for the day before, the day of and the day after and our EOC will be open so we'll have our full staff in that day regardless of what you guys decide.

MASCARENAS: Right just so the board and public understand closure really is just closure for those individuals that aren't deemed essential for a specific event or purpose. Your 24/7 operations still are 24/7 operations, dispatch is still going to function, our EMS folks are still going to function, transportation likely going to function I have to have a side conversation on that but I think, we determine who is essential for any particular event and then time and half and those types of things would kick in based on that essentially employee for that day.

MONTY: Have we got any plans for our busing? The shuttles and everything that go on? Can I offer Jim the courtesy of the floor?

DOUGAN: Are we going to want to run the bus in North Elba? I'm assuming we are going to want to run the Lake Placid Express in North Elba? We are going to want to move people around but do we want to run the buses to our Champlain South or Champlain North those ones which are typically less riders and a little bit more hit and miss. Those are things for us to determine.

DOTY: Jim, it could be impossible to keep a schedule though.

DOUGAN: Exactly.

HUGHES: That's a good point.

DOUGAN: Our Champlain North and our Champlain South will get some ridership that are actually workers here in Essex County they ride the bus to work but if the county is closed that won't, that most likely won't affect them but a schedule would be very difficult I think in all three of those major routes.

HUGHES: A report on North Country Public Radio this morning said you are most likely going to get somewhere faster by walking than by driving. That was a report out of Watertown.

MONTY: I guess I better put my walking shoes on. Anything else? We have a resolution on the floor and an amendment to that resolution. Any further discussion? No further discussion, all in favor signify by saying aye, opposed – carried.

MASCARENAS: Okay so the amendment carried.

MONTY: Yes. Thank you Jim. Anything else Judy?

GARRISON: No, that's all I have.

MONTY: Any resolutions from the floor?

GILLILLAND: I'd like to offer a resolution of condolence to the family of Mary McGahay Paratore. She most recently Vice-President of the Capital Region OTB Board and the sister in-law of our Judge Allison McGahay and sister of bill McGahay Chairman of the conservative party in Essex County passed away unexpectedly and rather quickly. She's been a friend to Essex County for many, many years and was instrumental in working with George Canon several decades ago in setting up OTB within Essex County.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF MARY M. PARATORE. Gilliland, unanimous**

McNALLY: Yes, I would like a resolution to cancel the agreement of the sale of our county property in North Hudson with unanimous support from the board in North Hudson.

**RESOLUTION AUTHORIZING CANCELLATION OF THE CONTRACT FOR THE SALE OF TOWN OF NORTH HUDSON PROPERTY BEARING TAX MAP NO. 125-1-1-24.000 TO BLUE LINE DEVELOPMENT ADK, INC. McNALLY, CLARK with MONTY OPPOSED.**

MONTY: Have you passed a resolution at the board level Chris?

CLARK: Unanimous.

MASCARENAS: Yeah so I got a copy of that resolution on Friday. I didn't anticipate it was going to be brought up from the floor today but I did receive a resolution from the Town of North Hudson, Chris Clark on Friday that their town board did unanimously approve not wanting the housing project to happen in the Town of North Hudson.

McNALLY: My feeling in all of this is the towns know what's best for them and if possible, we should really try to support each other's town's decisions.

MASCARENAS: Just for a recap, I don't know Dan do you want to give them a recap because – this resolution failed and I'm not sure the board knows that. When we left that day there was confusion around whether the resolution passed. It failed initially so someone on the prevailing side would have to bring that up.

MANNING: Not in this case. That particular point of order is in our January 1<sup>st</sup> rules of order. The only time you need someone from the prevailing side is if it's in the same session like today so if it was a resolution made and it was voted down then it would have to be in this session because it would be just too unruly that's been my interpretation which changed a little bit because when I first came I thought it was that way but it makes absolutely no sense. It can come from anybody.

MASCARENAS: Okay but it did fail. I don't know that they know that.

MANNING: Yeah it was the way it was kind of presented.

MASCARENAS: Yeah, there was some confusion in the math.

MANNING: So this resolution is fine.

DOTY: Any financial obligations that we have to nullify before we pass? Like was there money put down on this property?

MANNING: Yeah I believe a \$1,000 which we will return that money.

GILLILLAND: I will second that.

MONTY: We did have a second, Chris. Any other questions? All in favor signify by saying aye. I am opposed it has nothing to do with North Hudson Chris but as important as housing is I've been fighting housing for four years I've got to be opposed. That's just my opinion.

BRASSARD: I would like to make a resolution for the Moriah Boys and Girls Basketball Team for an outstanding season this year. Boys made it all the way to the State semi-finals and the Girls were the fourth girls' team ever to reach the regional.

**RESOLUTION OF CONGRATULATIONS TO THE MORIAH CENTRAL SCHOOL BOYS AND GIRLS MORIAH CENTRAL SCHOOL BOYS AND GIRLS VARSITY BASKETBALL TEAMS FOR BOTH MAKING IT TO THE STATE REGIONAL CHAMPIONSHIP GAMES. Brassard, unanimous**

DOTY: Should there be any further discussion about us getting together as a board on the 9<sup>th</sup>? You know realizing that the traffic could be just as bad? If no one is concerned I'm fine but for me personally that could be my worst day because motels and all our lodging have mandated two and three day stays to try to elevate how fast people get out of here.

MASCARENAS: Yeah, that's really up to the board. I'm not as concerned about the county as a whole on that day only because a lot of those areas that ROOST has been promoting like the old forts throughout the county there really is no lodging so they are going to be a day trip in and out. They may be going back to Lake Placid but I feel your pain. I know for you four towns of Wilmington, Jay, Keene, North Elba Route 73 could also turn into a parking lot for those days so that's really up to this board and the Chairman if you want to schedule those meetings for another day I have no objection to whatever you guys want to do.

GILLILLAND: Wednesday okay then?

WRIGHT: Not for me.

GILLILLAND: Thursday?

MASCARENAS: I think we can just put something out.

GARRISON: Yes, I can send out a revised April calendar changing the dates if that's what you want to do.

GILLILLAND: Yes, so is Thursday okay with everybody? Wednesday is no good for Ticonderoga so is Thursday good for people? Okay we will do that.

MONTY: Thank you. Anything else to come before the ways and means? I have two quick things that I want to bring up. The question was asked about CDL funding through One Work Source that is available through ACAP. Contact Joyce Marinelli there is funding available for that.

THURSTON: CDL funding?

MONTY: Yes for helping individuals get the, what's the lessor of the two? Class A?

DOUGAN: Class B.

MONTY: To get their Class B license so that is available through One Work Source and earlier this month we all got letters from Real Property about the legal notice had to go in the paper pertaining to the tax rolls. If you put it in without reviewing it the dates were wrong. It was a year behind so you may have to run it again. We did catch it before we put ours in and that's all I've got. Mr. Manning.

MANNING: I just had a quick thing as you know we retained the firm of Johnson and Laws, April Laws Esq. to represent us in one of the, I will call it Hennepin lawsuits that has been in the United States District Court for the northern district of New York. We have received and have been served with a second lawsuit which I think I explained to you in executive session. This time it is a Class Action lawsuit where approximately I'm going to say ten to twelve counties are being sued under Hennepin claimed we being one of them. The petitioner, the plaintiff in the case is Darin West and I would like to do is I'm asking for a resolution also retaining Johnson Laws, April Laws Esq.



to represent us in the second matter involving Darin West and further authoring the County Chairman or the County Manager to execute a retainer in that regard.

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER EXECUTE A RETAINER AGREEMENT WITH APRIL LAWS, ESQ. OF JOHNSON LAWS, LLC TO REPRESENT ESSEX COUNTY IN THE MATTER OF WEST, ET AL V. ESSEX COUNTY (HENNEPIN) CLASS ACTION. DELORIA, BRASSARD**

MONTY: Discussion? No discussion, all in favor signify by saying aye, any opposed – carried. Mr. Brassard has requested a brief executive session to discuss a property situation in the Town of Moriah.

THE COMMITTEE MOVED INTO AN EXECUTIVE SESSION AT 10:55 A.M. TO DISCUSS A PROPERTY SITUATION IN THE TOWN OF MORIAH AND RETURNED INTO OPEN SESSION AT 11:15 A.M.

MONTY: We are back in session. Nothing was decided or voted on. Mr. Brassard, do you have a resolution?

BRASSARD: I would like to put a resolution on the floor to forgive the interest and penalties on the property that was just taken ownership by Mr. Fred Lang in the Town of Moriah.

MONTY: Do I have a second, Mr. Clark. Discussion?

HUGHES: Do we know the exact parcel ID for this just to make sure we are all talking about the same one.

MANNING: I can it for regular board. I wasn't aware that this was going to come up.

HUGHES: I understand.

THURSTON: I do think we need more details in meat of the resolution for the next meeting.

MANNING: Okay do you want me to restate it? I think the resolution is with to property that was previously owned by Leroy Snow now owned by Fred Lang situate in the Town of Moriah. There are taxes due on it in the amount of \$105,000, with interest and penalties the base being \$55,000 and the resolution is to waive the interest and penalties provided that Mr. Lang pays the \$55,000 plus base amount on the property the reason being that this property has containments on it and for the county to take title and foreclosure would not be wise and we don't usually do that.

**RESOLUTION TO WAIVE THE INTEREST AND PENALTIES ON A PIECE OF PROPERTY PREVIOUSLY OWNED BY LEROY SNOW NOW OWNED BY FRED LANG SITUATE IN THE TOWN OF MORIAH, IN THE AMOUNT OF \$105,000 PROVIDED THAT MR. LANG PAYS THE \$55,000 PLUS BASE AMOUNT ON THE PROPERTY. Brassard, Clark with four in favor and twelve against, two being excused.**

- *Clerk's note – the resolution needs a quorum of 9 members to move forward. Four members were in favor, twelve members were not in favor. The resolution was defeated.*

MONTY: If you are in favor, raise your hand – four in favor. Against – twelve against. Okay thank you. Anything else to come before ways and means? We stand adjourned. Thank you.

As there was no further discussion to come before this ways and means committee it was adjourned at 11:16 a.m.

Respectfully submitted,

Judith Garrison, Clerk  
Board of Supervisors