

REGULAR BOARD

Monday, February 5, 2024 - 10:00 AM

Shaun Gilliland, Chairman
James Monty, Vice-Chairman

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

Department Heads present: James Dougan, Judy Garrison, Mary McGowan, Dan Manning, Michael Mascarenas, David Reynolds and Heather Sheehan.

Also present: Josh Favro and Thomas Murphy

News media: None present.

GILLILLAND: I note the time is 10 a.m. and we will call this meeting of the Board of Supervisors to order and we'll start with the salute to the flag please. Good morning. We'll start with roll call please. Thank you. We have no guests this morning so we'll go directly into resolutions.

RESOLUTION #22 – ACCEPTING, ADOPTING AND PLACING ON FILE POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS.

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

RESOLUTION #23 – ACCEPTING THE 2024 LIST OF DEPUTY FIRE COORDINATORS AND INVESTIGATORS FOR THE OFFICE OF ESSEX COUNTY EMERGENCY SERVICES DEPARTMENT.

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

RESOLUTION #24 – AUTHORIZING PAYMENT TO CITY OF GLENS FALLS FIRE DEPARTMENT IN THE AMOUNT OF \$5,884.82, FOR HAZMAT TRAINING (JULY 2023)

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #25 – AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACTS/AGREEMENTS OR PURCHASE ORDERS

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #26 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO OUT TO BID FOR VARIOUS DEPARTMENTS.

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

RESOLUTION #27 – TO AMEND THE LIST OF PROPOSED BOARD OF DIRECTORS FOR THE LAND BANK CORPORATION IN ESSEX COUNTY.

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

AYES: 2458 votes
NOES: 240 votes (McNally, Clark, Gilliland)
ABSENT: 104 votes (Monty)
ABSTAIN: 51 votes (Hughes)

RESOLUTION #27A – AUTHORIZING APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS

This resolution was moved by Mr. Harrington, seconded by Mr. Tyler, with Mr. Hughes *abstaining*, and duly adopted.

HUGHES: I abstain as I am on the Mental Health Community Services Board.

RESOLUTION #28 – AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #29 – OF APPRECIATION TO KRISSY LEERKES DIRECTOR OF OFFICE FOR THE AGING.

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

RESOLUTION #30 – ADOPTING AND APPROVING THE REVISED POLICES AND PROCEDURES AND QUARTERLY REPORTS FOR THE HOME HEALTH SERVICES FOR 3RD QUARTER OF 2023, WHICH WERE APPROVED BY THE PROFESSIONAL ADVISORY COUNCIL (PAC), PUBLIC HEALTH ADVISORY COMMITTEE (PHAC) AND THE MEDICAL DIRECTOR, ON DECEMBER 5, 2023.

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

RESOLUTION #31 – AUTHORIZING VARIOUS DEPARTMENTS TO APPLY FOR AND ACCEPT GRANTS.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #32 – 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 15, 2024, IN THE TOWN OF WILMINGTON, UPON APPROVAL OF THE COUNTY ATTORNEY AN WITH THE PROVISION OF INSURANCE.

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

RESOLUTION #33 – AUTHORIZING THE ISSUANCE OF A PERMIT ALLOWING THE USE OF THE COUNTY ROADWAYS FOR THE 2024 TICONDEROGA TRIATHLON FESTIVAL TO BE HELD ON JUNE 15, 2024, IN THE TOWN OF TICONDEROGA.

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

RESOLUTION #34 – AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #35 – ESTABLISHING THE DATES AND LOCATIONS FOR THE 2024 HOUSEHOLD HAZARDOUS WASTE DAY EVENTS IN ESSEX COUNTY.

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

RESOLUTION #36 – INTRODUCING PROPOSED LOCAL LAW NO. 2 OF 2024 ENTITLED “A LOCAL LAW TO CREATE THE OFFICE OF ESSEX COUNTY DEPARTMENT OF TRANSPORTATION COORDINATOR AND ASSIGNING TO SAID OFFICE SPECIFIC ADMINISTRATIVE FUNCTIONS, POWERS AND DUTIES TO BE PERFORMED ON BEHALF OF THE BOARD OF SUPERVISORS”

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #37 – URGING GOVERNOR KATHY HOCHUL AND THE NEW YORK LEGISLATURE TO INCLUDE COUNTY GOVERNMENTS IN THE HELP PROGRAM EXPANSION.

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

RESOLUTION #38 – ADOPTING THE ESSEX COUNTY POLICY MANUAL, AS PRESENTED AND AMENDED.

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

GILLILLAND: Discussion? Too bad Mr. Monty is not here. All in favor, opposed – carried.

RESOLUTION #39 – OF COMMENDATION TO COREY HOWE FOR HIS HEROIC AND LIFESAVING ACTIONS ON SEPTEMBER 25, 2023.

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

RESOLUTION #40 – URGING GOVERNOR KATHY HOCHUL AND THE NEW YORK LEGISLATURE TO SUPPORT THE EMPIRE STATE COMMUNITY COLLEGE WORKFORCE DEVELOPMENT PROGRAM GUARANTEE AND THE ADDITIONAL \$97 MILLION IN OPERATING FUNDS FOR SUNY’S 30 COMMUNITY COLLEGES.

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

RESOLUTION #41 – OF CONDOLENCE TO THE FAMILY OF ROBERT D. DOBIE.

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

RESOLUTION #42 – SETTING THE DATE FOR A PUBLIC HEARING ON THE ADDITION OF ONE PARCEL TO THE ESSEX COUNTY AGRICULTURAL DISTRICT #1.

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

RESOLUTION #43 – AUTHORIZING TO ESTABLISH PER DIEM STAFFING FOR 20 EMT'S, 10 AEMT-CRITICAL CARE, 10 AEMT'S AND 10 PARAMEDICS TO PROVIDE FLEXIBLE SCHEDULING COVERAGE.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

RESOLUTION #44 – URGING THE NEW YORK STATE DEPARTMENT OF HEALTH BUREAU OF EMERGENCY MEDICAL SERVICES, THE NEW YORK STATE EMS COUNCIL, AND THE NEW YORK STATE EMERGENCY MEDICAL ADVISORY TO RECONSIDER THE ELIMINATION OF THE NEW YORK STATE EMT CRITICAL CARE LEVEL, EFFECTIVE JULY 1, 2027.

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

RESOLUTION #45 – AUTHORIZING A REQUEST TO THE NEW YORK STATE CIVIL SERVICE TO AMEND THE ESSEX COUNTY CIVIL SERVICE RULES BY MAKING CERTAIN CHANGES TO THE TEXT AND APPENDICES AND RECLASSIFYING CERTAIN CIVIL SERVICE POSITIONS.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

GARRISON: Resolutions from the floor – authorizing the Essex County Chairman and/or County Manager to sign a memorandum of understanding (MOU) between Essex County and Civil Service Employees' Association, Inc. (CSEA) Local 1000 AFSCME, AFL-CIO to amend Article 49 on-call stipend for nursing staff at the Essex County Jail.

GILLILLAND: Twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #46 - AUTHORIZING THE ESSEX COUNTY CHAIRMAN AND/OR COUNTY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN ESSEX COUNTY AND CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC. (CSEA) LOCAL 1000 AFSCME, AFL-CIO TO AMEND ARTICLE 49 ON-CALL STIPEND FOR NURSING STAFF AT THE ESSEX COUNTY JAIL.

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

AYES: 2749 votes

NOES: 0 votes
ABSENT: 104 votes (Monty)

GARRISON: A resolution adopting a home rule request for adoption by the New York State Senate of Senate Bill S5608B and for adoption by the New York State Assembly of Assembly Bill A6812B amending NYS Public Officers Law which is entitled "An act to amend the public officers law, in relation to waiving the residency requirements for certain county attorney positions within Essex County" and more specifically assistant public defenders within Essex County.

GILLILLAND: Twelve to allow that on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Discussion?

MANNING: Yes, I just want to make a quick comment on this. We submitted this back in March and it's just come through and basically public officials have to be residents of the county as you all know and that includes assistant public defenders because there has been a dearth of them, we don't have access to a lot of attorneys to apply for these positions we requested this home rule that will amend public officers section three to allow us to draw attorneys from adjoining counties. You may recall that we passed a local law a while ago authorizing this and that might sound confusing, why are we looking for home rule after we passed a local law? Well, there is law out there that allows you if other counties have already asked for home rule authorization to change a public officials residency requirement then you, by sort of osmosis may also pass a similar local law forward so we did that but this will be a belt and suspenders. This took forever to get to us well it was in March, this is a belt and suspenders that will support our local law in the event someday our local law is determined not to be valid which it is so that's all this is.

DOTY: Five of us towns here in Essex County are represented by Billy Jones can he be added to this further resolved for this to be sent to him as well?

MANNING: Sure.

GILLILLAND: Thank you Mr. Doty. Further discussion? Being none, and this needs to be passed by two-thirds vote so we'll go to the roll call please.

RESOLUTION #47 - ADOPTING A HOME RULE REQUEST FOR ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL S5608B AND FOR ADOPTION BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL A6812B AMENDING NYS PUBLIC OFFICERS LAW WHICH IS ENTITLED "AN ACT TO AMEND THE PUBLIC OFFICERS LAW, IN RELATION TO WAIVING THE RESIDENCY REQUIREMENTS FOR CERTAIN COUNTY ATTORNEY POSITIONS WITHIN ESSEX COUNTY" AND MORE SPECIFICALLY ASSISTANT PUBLIC DEFENDERS WITHIN ESSEX COUNTY.

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

AYES: 3752 votes
NOES: 0 votes
ABSENT: 139 votes (Monty)

GARRISON: Everyone has a copy on their desks from the Department of Public Works, a

resolution authorizing the purchasing agent to award a purchase order in the amount of \$16,371.00, to Emerick Associates for a replacement trash compactor control panel with fund to come from budgeted funds and further authorizing the County Chairman or County Manager to execute said purchase order.

GILLILLAND: Twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #48 – AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO EMERICK ASSOCIATES FOR A REPLACEMENT TRASH COMPACTOR CONTROL PANEL, IN THE AMOUNT OF \$16,371.00, FROM BUDGETED FUNDS.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

GILLILLAND: Any further business to come before the Board of Supervisors?

STANLEY: Yes I had the owners of a local liquor store in Ausable Forks in the Town of Jay come into my office to inform me about a couple of bills that are in front of the Assembly and Senate that will establish supermarket wine licenses. Now, we are working really hard in the town of Jay to bring back our Main Street and that liquor store is one of the businesses on our Main Street and allowing this to happen in New York State would really hamper business for small mom and pop businesses in Essex County so I'm requesting that us here at the Board of Supervisors in Essex County as well as taking this back to each one of our towns and passing a resolution to oppose Assembly A.6989 and Senate Bill S.6786 which is to allow New York State to establish supermarket wine licenses.

GILLILLAND: Twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #49 – OPPOSING ASSEMBLY BILL A.6989 AND SENATE BILL S.6786 ENTITLED, “AN ACT TO AMEND THE ALCOHOLIC BEVERAGE CONTROL LAW, IN RELATION TO ESTABLISHING SUPERMARKET WINE LICENSES”

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

GILLILLAND: Thank you. Further business to come before the Board of Supervisors?

MANNING: Our Assigned Counsel Administrator, our Public Defender's office and our Conflict Defender's office all use a system called PDCMS with the New York State Public Defender's Association and I just need a resolution renewing the contract for the current Assigned Counsel Administrator for the period 10/27/2023 – 5/31/2024, in the total amount of \$1,563.34, and this the operation of that and it's also covered by the ILS monies.

GILLILLAND: Twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #50 – AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT EXTENSION WITH NEW YORK STATE DEFENDERS ASSOCIATION INC. FOR A PUBLIC DEFENSE CASE MANAGEMENT SYSTEM (PDCMS) PROFESSIONAL SERVICES AGREEMENT FOR PORTAL AND ONLINE SOFTWARE PROGRAM FOR E-VOUCHERING AND OTHER ASSIGNED COUNSEL APPLICATIONS FOR THE PERIOD OCTOBER 27, 2023 THROUGH MAY 31, 2024, AT A TOTAL COST OF \$1,563.34.

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

AYES: 2749 votes
NOES: 0 votes
ABSENT: 104 votes (Monty)

GILLILLAND: The County Attorney has requested a quick, executive session to discuss legal advice concerning real estate contract, possible. Moved by Mr. Hughes, second by Mr. Tyler. We are now in executive session.

THE COMMITTEE MOVED INTO AN EXECUTIVE SESSION AT 10:22 A.M.
TO DISCUSS LEGAL ADVICE CONCERNING REAL ESTATE CONTRACT AND MOVED
BACK INTO OPEN SESSION AT 10:46 A.M.

GILLILLAND: I note the time is 10:46 a.m. we are out of executive session where discussions were held and no decisions were made. We are in regular session. Is there any more business to come before this board? Being none, we are adjourned. Thank you very much.

As there was no further business to come before this regular board it was adjourned at 10:46 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors