

REGULAR BOARD

Monday, March 4, 2024 - 10:00 AM

Shaun Gilliland, Chairman
James Monty, Vice-Chairman

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

Department Heads present: James Dougan, Judy Garrison, Mary McGowan, Michael Mascarenas, Jack Moulton, David Reynolds, Heather Sheehan and Matt Watts.

Deputies present: William Tansey

Also present: Krista Moran and Jennifer Fifield

News media: Sun News – Alana Penny

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

RESOLUTION #51 – ACCEPTING, ADOPTING AND PLACING ON FILE POLICES, PLANS, PROCEDURES AND ANNUAL REPORTS.

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

RESOLUTION #52 – AUTHORIZING THE SHERIFF'S DEPARTMENT TO SURPLUS AND DONATE A 2016 FORD EXPEDITION TO THE MINEVILLE CV-TEC SECURITY AND LAW ENFORCEMENT CLASS.

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

RESOLUTION #53 – OF CONGRATULATIONS AND APPRECIATION TO RICHARD JENSEN, P.A. UPON HIS RETIREMENT.

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

RESOLUTION #54 – URGING CONGRESS TO CONTINUE TO FUND THE AFFORDABLE CONNECTIVITY PROGRAM THROUGH THE FEDERAL COMMUNICATIONS COMMISSION BEYOND APRIL 2024.

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

RESOLUTION #55 – OF APPRECIATION TO JACQUELINE THOMAS UPON HER RETIREMENT FROM ESSEX COUNTY DEPARTMENT OF SOCIAL SERVICES.

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

RESOLUTION #56 – AUTHORIZING APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS.

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

RESOLUTION #57 – AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS.

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

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

RESOLUTION #58 – OF APPRECIATION TO RICHARD GRAVER, LONG-SERVING VOLUNTEER FOR THE ESSEX COUNTY OFFICE FOR THE AGING AND SINCERE CONDOLENCE TO HIS FAMILY UPON HIS PASSING.

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

RESOLUTION #59 – AUTHORIZING OFFICE FOR THE AGING TO SET A PUBLIC HEARING FOR REVIEW OF THE 2024-2025 NEW YORK STATE OFFICE FOR THE AGING ANNUAL PLAN.

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

RESOLUTION #60 – AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACTS/AGREEMENTS OR PURCHASE ORDERS.

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

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

RESOLUTION #61 – AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS.

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

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

RESOLUTION #62 – PROVIDING FOR TEN (10) TRAINEES/APPRENTICE POSITIONS IN THE COUNTY MANAGER'S DEPARTMENT TO BE VETTED AND APPROVED BY THE BOARD OF SUPERVISORS IN ORDER TO FACILITATE RECRUITMENT OF NEW EMPLOYEES.

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

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

GILLILLAND: Discussion?

HUGHES: Thank you Mr. Chairman. I think there was a conversation about possibly amending the language of this and I would like to hand it over to Mr. Mascarenas for that?

MASCARENAS: Yes, what happened was I put something out early last week, Mr. Manning's office already kind of altered that resolution from what it was to student trainee position so it looks like it is already amended. I do think for the record, we want to speak to that this is not exclusive just to summer appointment that this has the potential, these positions have the potential for year round support anything about the ten that end up happening we would come back to the board for further authorization but I don't know that we need to change the language. It looks like it is already been done unless you have something you prefer Mr. Hughes?

GILLILLAND: Yes, before he was talking about summer and we removed it from summer to general. Are you good with that?

HUGHES: Yes. I'm okay with this, yes.

GILLILLAND: Alright, further discussion? Roll call please.

RESOLUTION #63 – ACCEPTING AND PLACING ON FILE THE 2023 ANNUAL ACCOUNTING OF MONIES RECEIVED AND DISBURSED BY THE ESSEX COUNTY CLERK.

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

GILLILLAND: Discussion?

DOTY: I assume this has to do with occupancy tax monies as well?

MASCARENAS: Not from the County Clerk's office sir that goes right to the Treasurer's department. This is primarily mortgage tax, transfer tax those things that are collected by the County Clerk's specifically.

DOTY: Okay.

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

RESOLUTION #64 – AUTHORIZING TO ADD NOEL DECKER, PRINCIPAL RECORDING CLERK, IN THE ESSEX COUNTY CLERK'S OFFICE AS AN AUTHORIZED SIGNER ON THE CHAMPLAIN NATIONAL BANK ACCOUNT AND STACEY HAYES, DEPUTY ESSEX COUNTY CLERK AS AN AUTHORIZED SIGNED ON THE CHAMPLAIN NATIONAL BANK ACCOUNT FOR DEPARTMENT OF MOTOR VEHICLES.

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

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

RESOLUTION #65 – AUTHORIZING THE ADDITION OF ONE PARCEL OWNED BY DARLA BRECKENRIDGE, IN THE TOWN OF ESSEX TO THE ESSEX COUNTY AGRICULTURAL DISTRICT #1.

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

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

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

RESOLUTION #67 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO OUT TO BID FOR A VEHICLE FOR THE BOARD OF ELECTIONS IN AN AMOUNT NOT TO EXCEED \$40,000.

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

RESOLUTION #68 – REQUESTING THE NEW YORK STATE GOVERNOR AND NEW YORK STATE LEGISLATURE CHANGE THE ENVIRONMENTAL CONSERVATION LAW TO PERMIT THE SALE OF STATE OWNED BUILDINGS AND FACILITIES LOCATED WITHIN THE FOREST PRESERVE TO BE SOLD AND TO BE PLACED IN PRIVATE OWNERSHIP WITHOUT THE NEED FOR CONSTITUTIONAL AMENDMENT.

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

RESOLUTION #69 – URGING THE GOVERNOR, THE NEW YORK STATE LEGISLATURE AND ALL OTHER STATE OFFICIALS NOT TO CUT FUNDING IN THE NEW YORK STATE 2024 FISCAL BUDGET FOR REVENUE STREAMS RELATED TO THE MAINTENANCE AND SAFETY OF COUNTY AND TOWN HIGHWAYS.

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

GARRISON: Resolutions from the floor – adopting a home rule request for enactment and adoption by the New York State Senate of Senate Bill S8583 and by the New York State Assembly of Assembly Bill A9277 entitled “an act to amend the tax law, in relation to expenditures for Essex County Correctional and Public Safety facilities projects; and to amend Chapter 327 of the law of 2006, amending the tax law relating to authorizing the County of Essex to impose an additional mortgage tax, in relation to extending the effectiveness thereof”

GILLILLAND: Twelve to all that on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Thank you.

RESOLUTION #70 - ADOPTING A HOME RULE REQUEST FOR ENACTION AND ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL S8583 AND BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL A9277 ENTITLED “AN ACT TO AMEND THE TAX LAW, IN RELATION TO EXPENDITURES FOR ESSEX COUNTY CORRECTIONAL AND PUBLIC SAFETY FACILITIES PROJECTS; AND TO AMEND CHAPTER 327 OF THE LAW OF 2006, AMENDING THE TAX LAW RELATING TO AUTHORIZING THE COUNTY OF ESSEX TO IMPOSE AN ADDITIONAL MORTGAGE TAX, IN RELATION TO EXTENDING THE EFFECTIVENESS THEREOF”

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

AYES: 3342 votes
NOES: 0 votes
ABSENT: 549 votes (Barber, McNally, Wood)

GILLILLAND: Discussion?

DOTY: Maybe a brief explanation so I can understand it again?

MANNING: Sure, sure it’s a mouthful there. As you recall, it used to be every three years we

have apply again to the State of New York Home rule Legislation to be able to collect our mortgage tax so that's what this does although they are only limiting us to two years this time. In addition, one part of the statute mandates that the mortgage tax monies that we got from this particular mortgage tax will have to be paid and used for correctional facilities and the emergency services building debt and those are going to be paid off so what this is going to do is number one, allow us to again be able to collect mortgage so we won't have a problem there and number two, the money is now going to the general fund to be used as the county wishes to.

DOTY: Thank you.

GILLILLAND: Further discussion? This requires a 2/3 majority. Further discussion? Being none, roll call please.

GARRISON: Another resolution from the floor – adopting 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”

GILLILLAND: Twelve to all that on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Thank you.

RESOLUTION # 71 - ADOPTING 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. Harrington, seconded by Mr. Doty and adopted upon a roll-call vote as follows:

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

GARRISON: That is all I have.

MASCARENAS: I have one. I sent an explanation out last week hopefully you all got a chance to look at it. I'm happy to explain further if need be. A resolution creating the position of Accountant 1 in the County Manager's department.

GILLILLAND: Twelve to all that on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Thank you.

RESOLUTION #72 – AUTHORIZING TO CREATE THE POSITION OF ACCOUNTANT 1 IN THE COUNTY MANAGER'S DEPARTMENT.

This resolution was moved by Mr. DeLoria, seconded by Mr. Wright and adopted upon a

roll-call vote as follows:

AYES: 2438 votes
NOES: 0 votes
ABSENT: 415 votes (Barber, McNally, Wood)

GILLILLAND: Thank you. Any others from the floor?

DELORIA: This resolution is on behalf of the Supervisor on behalf of the Town of Schroon, the Town of Crown Point and the Town of Newcomb in recognition of the Crown Point Panthers and the Schroon Lake-Newcomb Wild Huskies Boys Varsity Basketball Team for reaching the New York State Section VII Class D Championship game that was held at Clinton Community College on March 2, further recognizes and sends congratulations to the Schroon Lake-Newcomb Boys team for winning that section and title and will formulate further language in that resolution and work with the County Attorney's office on getting it finalized.

GILLILLAND: Twelve to all that on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Thank you.

RESOLUTION #73 – IN RECOGNITION TO THE CROWN POINT PANTHERS AND SCHROON LAKE/NEWCOMB WILD HUSKIES BOYS VARSITY BASKETBALL TEAMS FOR REACHING THE NEW YORK STATE SECTION VII CLASS D CHAMPIONSHIP GAME AND CONGRATULATIONS TO THE SCHROON LAKE/NEWCOMB WILD HUSKIES BOYS VARSITY BASKET BALL TEAM FOR WINNING THE NEW YORK STATE SECTION VII CLASS D CHAMPIONSHIP TITLE.

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

GILLILLAND: Thank you, unanimous second.

HARRINGTON: And also please note that it took two overtimes in order to establish the Section VII title.

DELORIA: We will work that right into the resolution.

TYLER: Yeah I would like to propose a resolution in congratulations to the Boquet Valley Girls Team for winning the Section VII Class D title.

GILLILLAND: Twelve to all that on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Thank you.

MANNING: Is this basketball?

TYLER: Assistant Coach Sheriff Reynolds.

RESOLUTION #74 – OF CONGRATULATIONS TO THE BOQUET VALLEY GIRLS VARSITY

**BASKETBALL TEAM FOR WINNING THE NEW YORK STATE SECTION VII CLASS D TITLE.
This resolution was moved by Mr. Tyler, unanimously seconded and duly adopted.**

CLARK: I would like to make a resolution rescinding the prior resolution of the sale of the property in North Hudson that I wasn't involved in before. I guess it would be contingent on our town board doing the same.

MANNING: What you're referring to is the low to moderate income housing that was proposed in the Town of North Hudson by Blue Line Development. As you all know this was the 60 units that Blue Line Development proposed on the Frontier Town Property and apparently the Town of North Hudson Town Board will at their next meeting decide that they don't want this in their town so I think the purpose of your resolution is if that's going to happen in the next week or so that we pass a resolution that in the event that the Town of North Hudson decides that is not something they want in their town then this board would, and we own the property, this board would honor what the Town of North Hudson has decided and we will return the down payment, check to – it's a small down payment, it's \$1,000. We haven't entered into a contract. We have a contract but no contract has been entered into so we would return that \$1,000, but this would be contingent upon North Hudson's declining to have the project.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Mr. Clark you are the mover, do I have a second? Mr. Brassard.

DEFEATED

RESOLUTION #75 – RESCINDING RESOLUTION #288 of 10/30/2023, AUTHORIZING THE SALE OF A 27.80± ACRE PARCEL LOCATED IN THE TOWN OF NORTH HUDSON BEARING TOWN OF NORTH HUDSON TAX MAP NO. 125.1-1-24.000 TO BLUE LINE DEVELOPMENT FOR THE SUM OF \$150,000.00, ON CONDITION THAT BLUE LINE DEVELOPMENT SHALL DEVELOP THE PROPERTY FOR RESIDENTIAL AND RENTAL HOUSING, USED EXCLUSIVELY FOR LOW TO MODERATE INCOME INDIVIDUALS OR FAMILIES; AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT OF SALE APPROVED BY THE ESSEX COUNTY ATTORNEY.

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

AYES:	1396 votes	(Harrington, Reusser, Hughes, Stanley, Wilson, Brassard, DeLoria, Clark, Thurston, Gilliland, Smith)
NOES:	1042 votes	(Monty, Doty, Wright, Tyler)
ABSENT:	415 votes	(Barber, McNally, Wood)

DOTY: Before an active vote would be taking on rescinding that would we likely to have any cause to go into executive session or would the town give us further explanation for why not on the motion? I guess I'm asking parliamentary, how does it work?

CLARK: Well, the town's people have never wanted this it was the prior administration that kind of shoved it down their throat. They have run a petition around town I have not seen yet but supposedly has quite a bit of signatures on it of people who are totally against this project so I guess I work for them.

DOTY: Oh, I'm not suggesting you don't I just want to know how this board gets the pertinent information to be able to support you or not support it?

CLARK: I'm going to bring up a resolution at the town board that we, but it's the third Thursday of the month when we have our board meetings and I know all the board members are going to go along without question. They are the ones pushing for this not to happen.

DOTY: Okay.

GILLILLAND: I will note that we stated that we would support North Hudson, you know the town and if this is what they want to do and this is what happens when the administrations change sometimes and no town board is locked into what a former board has done.

SMITH: Just may I ask a question, so this board issued a resolution supporting the proposed development in the town of North Hudson but there's been no contract signed?

MANNING: No contract has been signed. One has been presented. The prior resolution supported the project and authorized the County Manager or County Chairman to sign a contract in the event that it was determined that was to go forward.

GILLILLAND: Further discussion? Roll call please.

GARRISON: Mr. Harrington – yes; Ms. Reusser – yes; Mr. Hughes – yes; Mr. Stanley – yes; Mrs. Wilson – yes; Mr. Monty – I'm going to vote no just because I want more information. Mr. Brassard – yes; Mr. DeLoria – yes; Mr. Doty – like Jim, no until further explanation. Mr. Clark – yes; Ms. Thurston – yes; Mr. Wright – no same reason. Mr. Tyler – no; Mr. Gilliland – yes; Mr. Smith – yes.

MANNING: The motion is defeated.

GILLILLAND: Alright, thank you. Any further business to come before this board?

BRASSARD: Mr. Chairman I would like to make a resolution on behalf of the Moriah Girls and the Moriah Boys Basketball Team on their Section VII Class C Championship.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

RESOLUTION #76- OF CONGRATULATIONS TO THE MORIAH CENTRAL SCHOOL VARSITY BOYS AND VARSITY GIRLS BASKETBALL TEAMS FOR WINNING THE SECTION VII CLASS C CHAMPIONSHIP GAMES.

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

GILLILLAND: Anything further?

HUGHES: Mr. Chairman, I would like to offer a resolution of condolence to the family of Donald Doyle on his passing.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

**RESOLUTION #77 – OF CONDOLENCE TO THE FAMILY OF DONALD DOYLE.
This resolution was moved by Mr. Hughes, unanimously seconded and duly adopted.**

GILLILLAND: Thank you. Anything further?

Just one note of business Judy has talked to me this last week based upon some inputs from members about having a basically during the month a week without you all having to come to the county trucking all the way from Newcomb and other north, St. Armand those far from places, of trying for the month of March of having two committee days Monday the 11th and Wednesday the 13th which will allow the week of the 18th – 22nd the work week free and then back on the 25th of March for ways and means. I'd like to try it this month and let everybody see how they like it and if they do like it or not like it we can go back the other way or we can make this scheduling protocol so unless there is any objection from the board that will be this month's schedule. So EMS, Public Safety, Economic Development and Human Services on the 11th. DPW, Personnel and Finance on the 13th.

HUGHES: Respectfully I do object. I don't see what we gain by meeting twice a week instead of spreading it out on Mondays. I know we all have towns to run and we all have schedules. I don't see what the benefit of meeting twice in one week does from a travel standpoint but it sounds like you couched it as so I would object to what that proposal is.

DELORIA: I personally like the idea because it will give me more time to spend in the community I was truly elected to serve. I'm here by virtually the fact I am the Supervisor in the Town of Newcomb but I tell you, my town has needs and if we can shorten up the time that I spend here and give me an entire week without breaking up that week I certainly support it.

STANLEY: I just see putting two meetings in one week, if one of us is out of town for the week, we miss two meetings which is half the meetings a month. I think it's extremely hard to have two meetings in one week and to come over here twice in one week I understand and see the following traveling as far away as Newcomb –

DELORIA: I don't have a problem traveling. I have a problem having more adequate time I spend in my community with my true constituents but I understand your point too. I'm not going to play chess to win.

DOTY: I can agreeable to it but I personally I would need at least a month down the road to help plan my calendar with so many meetings that I have during the week so, if it were to start in April or even in May I can plan ahead for it this soon in March, it's not possible for me.

GILLILLAND: Since there is objection, we will go back to the original schedule. Anything further to come?

MANNING: I have one thing. The resolution on North Hudson did pass, just barely so I apologize to Judy so it did pass. The no votes including the 415 absents came to 1396 and the yes votes came to 1457 which is like 30 votes over what we need. My apologies.

HUGHES: At ways and means Mr. Chairman we tabled a resolution related to the Board of Elections and I'm curious where we stand on that table?

GILLILLAND: It was a unanimous decision so any member can bring it back off the table.

HUGHES: I would like to move that we take it –

GILLILLAND: You can do that but we were going to meet with the Board of Elections first.

HUGHES: That's why I was asking the status of.

GILLILLAND: So I am going to meet with them and talk to them and get some more information. That was the plan but any members of the board right now has the authority or right to bring it back off the table.

At this time we need to go to executive session for legal advice, a short one. Can I have a motion and second to do that. Moved by Wilson, second by Mr. Smith. We are in executive session.

THE BOARD MOVED INTO EXECUTIVE SESSION AT 10:30 A.M. TO DISCUSS LEGAL
ADVICE AND MOVED BACK INTO SESSION AT 10:54 A.M.

GILLILLAND: I will note the time is 10:54 a.m. we are back in session, no decisions were made in executive session. We are now back in regular session. Is there anything else to come before this board?

STANLEY: I would like to make a resolution of congratulations to the Ausable Valley Boys Swim Team on their Section VII championship win.

GILLILLAND: Twelve to allow that on the floor please?

GARRISON: Yes, we do.

RESOLUTION #78 – OF CONGRATULATIONS TO THE AUSABLE VALLEY CENTRAL SCHOOL BOYS SWIM TEAM FOR WINNING THE NEW YORK STATE SECTION VII CHAMPIONSHIP.

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

GILLILLAND: Anything further to come before the board? Being none, we are adjourned.

As there was no further discussion to come before this regular board meeting it was adjourned at 10:54 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors