

REGULAR BOARD

Monday, May 6, 2024 - 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: Matt Brassard, Chris Clark, Robin DeLoria, Shaun Gilliland, Charles Harrington, Jim Monty, Cathleen Reusser, Favor Smith, Matt Stanley, Ike Tyler, Joe Pete Wilson, Meg Wood and Mark Wright. Clayton Barber, Derek Doty, Ken Hughes, Steve McNally and Davina Thurston were previously excused.

Department heads present were: Angie Allen, Mike Diskin, Jim Dougan, Judy Garrison, Mary McGowan, Dan Manning, Mike Mascarenas, David Reynolds, Heather Sheehan, Dori Abrahamsen and Matt Watts.

Deputies present were: William Tansey

Also present: Emma Gagnon – Prevention Team

GILLILLAND: I note that I am starting a couple of minutes late so I'll call the meeting to order and I would like to start with the salute of the flag please. We'll start with the roll call please. Before we go into resolutions just a couple of updates from the County Attorney on Tyler – Hennepin.

MANNING: On your desk, Mr. Monty asked I think the middle of last week for an update on Tyler v. Hennepin. So I did a little memo it's dated May 3, 2024 and I'll go quickly over that but attached to the memo the next thing in, four pages in is the new iteration of the New York State proposed New York State Law and that's what Jim had asked me to take a peek at. I also enclosed a copy of a chart that Mike Diskin got that breaks the new law down by category so the chart is probably the best thing for you guys to take a look at whenever you have any questions and then finally a copy of my original letter on Tyler v. Hennepin. I'm not going to go through a lot of this stuff. I will just hit the highlights on the new law. One important thing the new law does is it does address demolition costs and other things of that nature which we know now can be placed on the tax rolls and those are costs that can be rolled in and can be recouped before surplus is given so it's more of a cost. Other costs are your mailing or publication fees, interest and penalties, the cost of any appraisals, the payment of the back taxes of course and now these demolition fees so those demolition fees are specifically referenced in the law. As are reasonable attorney's fees and auction fees and those things provided that those fees all exceed \$250, which is low or 2% of the tax itself so with this hand they giveth and with this hand they taketh away. If you've got a huge demolition cost on a piece of property that sells for peanuts then you're still going to be out but at least it does say with respect to larger pieces of property and larger taxes you have the ability to get that back. There's a homeowners bill of rights. There's all sorts of other procedural things that I would need to do, amend all my documentation about notice and this, that and the other thing. There is a process with our foreclosure proceedings once we get a judgment from the court that he blesses everything that we've done, he orders the Treasurer to convey the property to the county and then the county does the auction. They've now kind of skipped that step and will allow the judgment to say that we go to a particular property owner so it doesn't have to go to the Treasurer, from the Treasurer to the County it can go from the Treasurer to that particular property owner.

There's also a provision now of an installment plans and it says should the county want that you can offer various installment plans for I think it's twelve, eighteen, twenty-four, thirty-six months to try and meet these things so that's a new thing.

The threshold for what you would subtract from your surplus monies it's still as it was in the first iteration of this law. If the property is sold at auction was at a public sale the auction price controls so that is very important. If it's at a private sale then it is generally going to be the appraised value or the assessed value.

Land banks, there is a provision in there now for land banks basically it looks to me that there has to be, first of all you have an auction of course if there is surplus money above the auction or it is sold for more money the land bank would probably have to pay those but no surplus needs to be paid if it conveys to a land bank or housing development agency or any other public entity if prior to the sale there are two separate additional public auctions three months apart and the minimum bid accepted at each auction isn't greater than the sum of the taxes then you simply just give it to the land banks or give it to the public housing authority.

There's also a provision if no owner comes forward, there's all sorts of provisions for claims I won't get into that they make a claim then they will be entitled to surplus if we sell a piece of property and after all these notices and everything that we've gone through the hoops, they make no claim then we've got to hold to the surplus for three years before we can distribute it and that three years is probably linked to statute of limitations constitutional statute of limitations which is three years.

And finally as I stated before May 23, 2023 is the date of the Hennepin decision. New York State law says that we've got this retroactivity problem that we are all worried about so that three year sort of dovetails with that but in this new local law, not local law, new state law they state that all claims are going to be barred if – all prior claims would be barred if they were not made within the four months statute of limitations Article 78 proceeding is probably going to be rare so if someone had not made a claim prior to May 23, within the four month Article 78 statute of limitations after the notice then those claims not made are barred and then claims going forward are not barred then we deal with the three year constitutional statute of limitation holding the property if no one comes forward on a claim. If someone comes forward on a claim we go forward with the law. So it's all in there. This is kind of a crux tour of it. That chart is great so take a look at that chart and if you have a question about cost, or notice, what happens to land bank it's all right in that chart.

GILLILLAND: Questions for the County Attorney?

MONTY: I just want to say thank you Dan. I know it was a lot of work and hard work. I think it's going to give us a better understanding of what we can and can't do, like anything that comes from the state there always will be questions.

MANNING: Yes, two very important points is this is proposed legislation so it may never come to pass, you know they may not pass it and number two, even though they passed it it's still just a state law so you're going to see challenges in the courts because we complied with the state law and Hennepin said it was wrong so they could very well say portions of this legislation maybe the Article 78 portion they could very well say but it gives us color right to start again and when we begin our foreclosure proceedings if this law passes we will more than likely start foreclosures again but we're are going to stock any surplus away until this makes its way through the courts or we comply we'll see how it all makes its way through the labyrinth of courts and everyone else.

GILLILLAND: Further questions anybody? Okay, thank you very much. We'll move onto resolutions.

RESOLUTION #107 – AUTHORIZING THE PURCHASING AGENT TO AWARD BIDS, ISSUE CONTRACTS/AGREEMENTS OR PURCHASE ORDERS.

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

AYES: 1959 votes
NOES: 0 votes
ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

RESOLUTION #108 – AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS.

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

AYES: 1959 votes
NOES: 0 votes
ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

RESOLUTION #109 – RECOGNIZING THE WEEK OF APRIL 14-20, 2024, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.

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

RESOLUTION #110 – RECOGNIZING MAY 19-25, 2024, AS NATIONAL EMS WEEK.

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

RESOLUTION #111 – AMENDING RESOLUTION NO. 82 OF APRIL 1, 2024, AUTHORIZING THE PURCHASING AGENT TO GO TO BID FOR VARIOUS DEPARTMENTS.

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

AYES: 1959 votes
NOES: 0 votes
ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

AMENDED:

RESOLUTION #112 – AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS.

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

AYES: 1959 votes
NOES: 0 votes
ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

GILLILLAND: Discussion?

MANNING: I have one thing. Down at the Personnel committee we are looking for a contract with Justin Meyer from October 2023 through June 30, 2024 I'd like to ask that be amended to May 1, 2024 with the April payment will be \$3500 instead of \$2500 because he asked to stay on for that month of April for that amount of money. We have that in the budget for the ILS and we need him.

GILLILLAND: So through May 30, 2024?

MANNING: May 1st excuse me.

GILLILLAND: May 1, 2024 not 2025?

MANNING: May 30th you're right.

GILLILLAND: 2025?

MANNING: May 30, 2024.

GILLILLAND: May 30, 2024, okay. So the net cost will be less?

MANNING: No it's going to be \$1,000 more because the month of April will be \$3500, right now it's \$2500 each month.

GILLILLAND: So the amendment has been offered to shift Justin Meyer from June 30 to May 30th. Mover on the amendment- Mr. Smith and second by Mr. Clark. Discussion on the amendment? All in favor of the amendment – opposed carries so now we'll go back to the resolution as amended. We need a roll call on the resolution #112 as amended.

*** Clerk's note – there was some discussion and confusion on the date. The amended date on resolution #112, is to extend the contract term from October 2023 through April 30, 2024.*

RESOLUTION #113 – OF SUPPORT FOR THE APPOINTMENT OF MARY JANE LAWRENCE AS EXECUTIVE DIRECTOR OF THE REGIONAL OFFICE OF SUSTAINABLE TOURISM (ROOST).

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

RESOLUTION #114 – AUTHORIZING APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS.

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

RESOLUTION #115 – AUTHORIZING VARIOUS DEPARTMENTS TO APPLY FOR AND ACCEPT GRANTS.

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

AYES: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

RESOLUTION #116 – AMENDING RESOLUTION NO. 57 OF MARCH 4, 2024, 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: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

RESOLUTION #117 – OF CONDOLENCE TO THE FAMILY OF ANTHONY J. "TONY" PANICCIA.

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

RESOLUTION #118 – OF CONDOLENCE TO THE FAMILY OF RICHARD “DICK” LAWRENCE BESSETT.

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

RESOLUTION #119 – AUTHORIZING TO CHANGE THE HOURS IN THE OFFICE OF THE ESSEX COUNTY CLERK AND DEPARTMENT OF MOTOR VEHICLES TO BE OPEN FROM 8:00 A.M. TO 4:00 P.M. BEGINNING JUNE 3, 2024 THROUGH AUGUST 30, 2024.

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

RESOLUTION #120 – RECOGNIZING LONG-TERM EMPLOYEES OF ESSEX COUNTY.

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

RESOLUTION #121 – AUTHORIZING ESSEX COUNTY TO PAY NORTHLINE UTILITIES, LLC FOR WORK DONE AT THE TERRY MOUNTAIN TOWER SITE.

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

AYES: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

RESOLUTION #122 – OF CONDOLENCE TO THE FAMILY OF HARRY P. MCCRAY.

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

GARRISON: Resolutions from the floor. Everyone has a copy on their desks, authorizing the Essex County Attorney to sign a stipulation and settlement with respect to settling certain Article 7 proceedings entitled, Cure Cottage Development, LLC against the Town of St. Armand Assessor, et al venued in the Essex County Supreme Court bearing index nos. CV20-0396, CV21-0304 and CV23-0320.

GILLILLAND: Twelve to allow it on the floor please?

GARRISON: Yes, we do.

GILLILLAND: Thank you.

RESOLUTION #123 - AUTHORIZING THE ESSEX COUNTY ATTORNEY TO SIGN A STIPULATION AND SETTLEMENT WITH RESPECT TO SETTLING CERTAIN ARTICLE 7 PROCEEDINGS ENTITLED, CURE COTTAGE DEVELOPMENT, LLC AGAINST THE TOWN OF ST. ARMAND ASSESSOR, ET AL VENUED IN THE ESSEX COUNTY SUPREME COURT BEARING INDEX NOS. CV20-0396, CV21-0304 AND CV23-0320.

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

AYES: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

GILLILLAND: Discussion?

MANNING: I'll just shed some light on this. None of you have seen this before. This is a matter regarding property up in Saranac Lake, Town of St. Armand. Davina is aware of it. It's an Article

7 tax certiorari proceeding for three years. We were served with a copy of the petition but it never made its way to my office so I never knew about it. Generally the town is served, the county is served and the school district is served usually the towns will prosecute these things but I always put in a notice of appearance in case there is a problem but I didn't get that opportunity. I didn't get the paperwork. Anyway, this was, a lot of money was involved here. The long short of it is I was made aware of this by a stipulation which all the other parties were linked into and the court was going to bless and then they wanted me to sign it and then I looked at it and I'm like, wait a minute, what happens is and there's friction at play I won't get into it but they are looking to pay the tax but what happens as you all know we make good on the warrant with respect to schools and the towns so we make good on all penalties, all interest, all everything so when there's a settlement if I'm not looking at this and someone doesn't provide for recoupment of some of the fees that we have paid then we're out of luck so this was kind of a pain in the neck but anyway the long short of it is they are going to pay the taxes on the stipulated amount, the county will be reimbursed \$384,178, that we are, everyone is waiving interest and penalties but we are recouping that they didn't have in there were we overpaid the towns for an amount and the school district for an amount it only amounts to like \$14,000 but it is \$14,000 in our pocket so that's what all of this resulted in us getting an extra \$14,000 which culminates in \$384,178. I can't go back and do anything other than that because as far as the courts are concerned I didn't appear. It was a glitch in the account and it didn't make its way up to me. It's a good thing. Davina is happy with it and I'm happy with it.

GILLILLAND: Further discussion?

MONTY: Again, just to clear my mind we are recouping the school as well as what we overpaid the town?

MANNING: Yes and that was part of it they carved out some stuff and we lost \$14,000. The options were, these people pay more which they did or the school could give us some money and the town could give us some money and so the school and town didn't want to give us back the money so these guys are paying that money in this settlement.

GILLILLAND: Further discussion? I need a roll call please.

GARRISON: The next resolution from the floor is authorizing abandonment of a portion of the Old Boreas Road located in the Town of North Hudson, Essex County, New York, with the consent of the DPW Superintendent, pursuant to highway law §118-A, located adjacent to property owned by Shaw and Bornhorse; and authorizing the County Manager or Chairman to execute quitclaim deeds and any and all necessary documents required to memorialize the abandonment to adjoining.

GILLILLAND: Twelve to all it on the floor please.

GARRISON: Yes we do.

RESOLUTION #124 - AUTHORIZING ABANDONMENT OF A PORTION OF THE OLD BOREAS ROAD LOCATED IN THE TOWN OF NORTH HUDSON, ESSEX COUNTY, NEW YORK, WITH THE CONSENT OF THE DPW SUPERINTENDENT, PURSUANT TO HIGHWAY LAW §118-A, LOCATED ADJACENT TO PROPERTY OWNED BY SHAW AND BORNHORSE; AND AUTHORIZING THE COUNTY MANAGER OR CHAIRMAN TO EXECUTE QUITCLAIM DEEDS AND ANY AND ALL NECESSARY DOCUMENTS REQUIRED TO MEMORIALIZE THE

ABANDONMENT TO ADJOINERS.

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

AYES: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

GILLILLAND: Discussion?

MANNING: Just a brief thing on this. This is a housekeeping thing. This has been going on for a while. This is a small portion of the Old Boreas Road which is just like a little route that the property owner has requested be abandoned so that property on both sides of the road there's no impediment and there's no problem. We typically do this pursuant to highway law §118-A and it has to be done with Jim's approval. Jim has looked at this a few times and he has consented to it basically there is no liability on our part we have the regular road we are just abandoning that old road so there's no title problems and we are only giving a quick claim deed so we're not warranting any title to it or anything we are just saying we're done with it. We don't need payment and it's not used and not maintained.

GILLILLAND: Discussion? I found was one of the interesting things in highway laws is not used by any automobile or horse traffic.

MANNING: Yeah, it gets a little weird yeah.

GILLILLAND: Nineteenth century highway law. Further discussion? Being none, roll call please.

GARRISON: That's all I have.

GILLILLAND: County Manager.

MASCARENAS: Yes sir. So I was able to get the final proposal between us and Sheriff's unit on your desks this morning we did get it late Friday. I have sent it to you all the way I understood it prior to this and this is exactly the way I sent it. There's a few little modifications but nothing that impacts the intent it was just some language things that I worked out with Ms. Pombrio from the CSEA unit. So what I'm looking for is a resolution of ratification and approval of the contract proposal and memorandum of agreement by and between Essex County and the Essex County Sheriff's Department unit 6800-01. The modification will extend the current contract which is set to expire on December 31, 2025, it will extend it two additional years and will now expire December 31, 2027. Other than that there is some modifications to the salary tables in there and for the two remaining years all personnel will be awarded the same general increase of 3% for each employee. I do think it will help retain the individuals that we have currently at the jail because that's been a big issue lately whether or not we will recruit additional personnel or not time will tell but I think it's a step in the right direction and a really good compromise by everyone involved.

GILLILLAND: Twelve to allow it on the floor?

GARRISON: Yes, we do.

RESOLUTION #125 - RATIFICATION AND APPROVAL OF THE CONTRACT PROPOSAL

AND MEMORANDUM OF AGREEMENT BY AND BETWEEN ESSEX COUNTY AND THE ESSEX COUNTY SHERIFF'S DEPARTMENT UNIT 6800-01 OF ESSEX COUNTY EMPLOYEES LOCAL 816.

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

AYES: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

GILLILLAND: Discussion?

REUSSER: When the contracts opens again at the end of 2025 for the rest of the membership does it open up an opportunity for the Sheriff's Department to come back in at that time?

MASCARENAS: No, this is the entire Sheriff's Department membership so they do have some lay individuals there that are represented by the general labor unit but all the titles in the previous agreement are the same titles that are in the new agreement and that won't happen so approval by both parties will ensure that we're good until 2027 and we'll have a contract until that date. If either body fails to approve it we will remain under the current contract and that will expire in 2025 and we will be negotiating with them next year so this kind of does away with that we are going to extend the contract additional two years.

WRIGHT: Mike, on behalf of the committee I just would like to thank you for and mention all you did on the pay scale and the levels, it was a lot of work and we couldn't do it so thank you.

MASCARENAS: Thank you. I appreciate it.

GILLILLAND: Further discussion? Being none, roll call please. Any further resolutions from the floor?

MONTY: I actually have two and one of them I don't necessarily know if I need a resolution or just a letter of support? One, it was brought to my attention we have the Whiteface 100K Mountain Bike Race coming up and I'm not sure if a resolution was put out for the permit?

SMITH: We received an email from various towns in which the race course goes. We approved it in Wilmington.

MONTY: We did in Lewis as well but I'm just wondering the county normally gives a permit for that.

GARRISON: Yes.

GILLILLAND: Jim, can we see what you have?

DOUGAN: I received this from Devann at the end of last week. I assumed it was going to be on the agenda for today. I'm sorry.

GILLILLAND: Alright, so it's from the floor.

GARRISON: Okay, authorizing an issuance of a permit to Adirondack Sports Council allowing

use of county roadways for the Wilmington Whiteface 100K Mountain bike Race to be held on Sunday, June 2, 2024, upon approval of the County Attorney and with the provision of insurance.

GILLILLAND: Twelve to allow it on the floor please.

GARRISON: Yes.

RESOLUTION #126 - AUTHORIZING AN ISSUANCE OF A PERMIT TO ADIRONDACK SPORTS COUNCIL ALLOWING USE OF COUNTY ROADWAYS FOR THE WILMINGTON WHITEFACE 100K MOUNTAIN BIKE RACE TO BE HELD ON SUNDAY, JUNE 2, 2024, UPON APPROVAL OF THE COUNTY ATTORNEY AND WITH THE PROVISION OF INSURANCE. This resolution was moved by Mr. Smith, seconded by Mr. Monty and duly adopted.

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

MONTY: And the second thing is the land bank is getting ready to apply for three types of programs within the State. AHOP in Ticonderoga, a home county wide initiative in the Cross Month Pilot in Newcomb and we're hoping to get a letter of support from Essex County on these three projects. The AHOP which is going to go into Ti is to build five new homes in Ticonderoga on land that has been donated by the town and an additional lot donated by an owner effected by a structure fire. The project budget is approximately \$3 million dollars. Our long term plan is to replicate this initiative in Newcomb as well. These will be stick built homes expected to sell for approximately \$120,000 to \$150,000. The Cross Month program is a State sponsored PILOT program which covers a total cost of a modular home which we are hoping to implement in Newcomb with a similar sale price. The third home program for vacant properties is a new program that funds for the gutting and rehabilitation of four new construction of homes up to \$250,000. We are applying for this for properties in Lewis on the Stowersville Road, Rainy Brook in North Elba and one for the Portage in Ticonderoga. All these properties are currently owned by the land bank. We're hoping to secure that funding and one of the parameters was getting a letter of support from the county that they are in support of us applying for these. We would run it through committee but the deadline is June 7 so we're hoping to get that letter of support.

GILLILLAND: Just a comment or point of order I guess. I mean I would think that a resolution of support would be more powerful than a letter of support.

MONTY: That's fine. In the paperwork we got from them it just said letter of support.

MASCARENAS: I think we can do both and I think that again, I've written a lot of grants. I think showing the people that are providing us the opportunity to apply that all 18 towns are on board and we're all on the same page with what we got is pretty powerful so I think we can send a letter and give you the resolution as part of that application is probably that much more.

MONTY: That would be great and just so you know, not a dime of this is costing the county any money. This is all going to be grant funded.

GILLILLAND: Twelve to allow it on the floor please.

GARRISON: Yes, we do.

RESOLUTION #127 – IN SUPPORT OF GRANT APPLICATIONS PRESENTED BY THE PRIDE

OF TI FOR THE CONSTRUCTION AND REHABILITATION OF CERTAIN PROPERTIES LOCATED IN THE TOWNS OF TICONDEROGA, NORTH ELBA AND NEWCOMB ACQUIRED BY THE ESSEX COUNTY LAND BANK.

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

MONTY: Thank you.

GILLILLAND: Anything else?

WILSON: I wanted to ask for a resolution of condolence to the family of New York State Forest Ranger Robbi Mecus.

GILLILLAND: Twelve to allow that on the floor?

GARRISON: Yes, we do.

RESOLUTION #128 – OF CONDOLENCE TO THE FAMILY OF ROBBI MECUS.

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

GILLILLAND: Anything else from the board?

MANNING: Okay, here we go again Assigned Counsel as you know we get a lot of money from the state for our Assigned Counsel program and we have hired an assigned counsel administrator which Mike and I feel and all the members that were on the committee feel is an excellent choice. So we now have to hire a part time Assigned Counsel attorney who will sort of run the show. That will work for 21 hours a week and we did solicit interest for the position. We got four candidates but at this point because the Assigned Counsel administrator is sort of wet behind the ears so to speak, we feel that it would be prudent to continue Justin Meyer who is currently our Assigned Counsel Administrator and move him to be Assigned Counsel Attorney for just a year period so that the new assigned counsel administrator is well entrenched, she can learn from him, she's also has made appointments with other assigned counsel programs, with the court talking to the Magistrates but in this instance Mike and I have spoken about it and I think it's better to have Justin Meyer continue for one year he knows the ropes, he knows what's going on as opposed to a new assigned counsel administrator and a brand new attorney who knows nothing neither one of them know anything so we have the money in the ILS budget for this, this would actually be less. The amount would be \$60,000 for the year. He would have an office here, he would come here at least once a week or four times a month and he would also be available all the time as he is right now at his office. It's not a perfect situation but I think we are doing the best we can so that we get this thing off the ground. The alternative would be to hire someone else who will know absolutely nothing so we'll have two people that are learning.

GILLILLAND: Twelve to allow it on the floor?

GARRISON: Yes, we do.

GILLILLAND: Thank you. Do I have a mover? Mr. Stanley, second by Ms. Wood. Discussion?

RESOLUTION #129 - APPOINTING JUSTIN MEYER, ESQ. AS ASSIGNED COUNSEL ATTORNEY FOR A TERM OF ONE YEAR BEGINNING MAY 1, 2024.

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

AYES: 1959 votes

NOES: 0 votes

ABSENT: 894 votes (Barber, Hughes, McNally, Doty, Thurston)

MONTY: Who is paying for this? Is this out of the –

MANNING: Yes, it is out of the ILS money. Now this is to not be confused with what we did earlier which was, we've had contracts with him right along but there was a letter agreement that didn't get signed so what we did early was from October 2023 until May now and then this new thing will go from May for one year.

MONTY: What is his salary?

MANNING: \$60,000, So the resolution will say, so everybody is clear, resolution authorizing the appointment of Justin Meyer as the Essex County Attorney for Assigned Counsel at the yearly salary of \$60,000.00, part-time, 21 hours a week and to be in the county office at the county at least four times a month and that he will be working from his office. He's currently the Clinton County Assigned Counsel Administrator and Attorney. So that's the resolution just so it's clear to everybody.

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

MANNING: Just as a point of edification we've also agreed, I've spoken to Justin that we would put in a 60 day termination clause in there so for some reason he's not happy, we're not happy we can get out earlier than a year or if we get to the point where our assigned counsel administrator should say, I've got this then we can refigure.

GILLILLAND: Thank you. Any further resolutions from the board?

Last week I think I discussed issues of assessments. I was told by one town that looking at a 47% increase in town wide assessments. My town is not that quite high but it's high. Looking over three, four years still looking at people who are doubling assessments. If you're on a fixed income and your assessment doubles and a hit comes through I think the legislature is setting taxpayers up for a big hit. As discussed, I did call NYSAC talked to Steve Acquiro this has not come to the forefront of anything in Albany, not even discussed. So it's a guerilla war against the tax payers going on right now so, he is setting up a zoom with their assessment expert tax attorney out of he said, whatever county Cornell is in I can't remember the name of it but to have a discussion about it to get some of the tactical details. Dan, I talked to him and he has been working diligently on looking at it. There is a little bit of a precedence in tax law concerning was it towns?

MANNING: Basically counties over a million people it was geared I think toward Nassau County at a 6% cap on the real property tax law.

GILLILLAND: So it was under property tax law they allowed large, large counties to cap at 6% assessment rates so there is a slight precedence in there for us to go forward with this but I will continue stirring the pot as much as I can. I stirred the pot with our Assemblyman, I haven't talked to our Senator yet but this is something I think we need to continue to go down the road pushing for because a small population of rural counties are on the juggler of that if it comes through IE if

they do remove the whole harmless clause with the school funding next year start writing checks. That's all I have. Anything else to come before us?

MONTY: It's funny you say that, I had a conversation with Matt Simpson Friday afternoon on another topic and Matt mentioned that same thing Shaun. He suggested we try and do a five year study on taxes and how much they've gone up over five years. I said, Matt I don't think that will be a clear picture because of Covid. Covid really is when it started essentially but we need to do maybe a ten year look at property taxes with percentages that it has gone up in each community.

GILLILLAND: You mean assessments, not taxes.

MONTY: Yes and see how that would go. It may help the argument but again, we are dealing with Albany.

GILLILLAND: I mean we have that data right here I've got all the, in my office there is all the real property office publications every year going back more than five years so it is very easy to put the data together. Further discussion?

SMITH: You mentioned a ZOOM conference?

GILLILLAND: As soon as I find out when that is going to be organized and stuff I will invite anybody who is interested.

SMITH: Thank you.

GILLILLAND: Anything else? We are adjourned, thank you.

As there was no further discussion to come before this regular board meeting it was adjourned at 10:43 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors