

PERSONNEL & ADMINISTRATION COMMITTEE

Tuesday, January 20, 2026 - 10:00 AM

Meg Wood, Chairperson
Cathleen Reusser, Vice-Chairperson

Chairwoman Wood called this Personnel & Administration Committee Meeting to order at 10:00 am with the following Supervisors in attendance: Clayton Barber, Matthew Brassard, Chris Clark, Timothy Follos, Ken Hughes, Mary Lamphear, Tracie McGill, Steve McNally, James O'Bryan, Timothy Pierce, Richard Preston, Cathleen Reusser, Matt Stanley, Davina Thurston, Ike Tyler, and Margaret Wood. Clayton Menser, and Joe Pete Wilson were excused.

Department Heads present: Michael Mascarenas, Dan Manning and Jim Dougan. Judy Garrison was excused.

Deputies present: Dina Garvey, and Bill Tansey

WOOD: It is 10:09 and I will call this Personnel Committee to order, first on the agenda is Jennifer Mascarenas.

MASCARENAS, J: Good morning, I have attached my monthly report and I have also attached the updated vacancy list.

WOOD: Does anyone have any questions or remarks for Jen?
Okay, is there anything coming up that we should know about?

MASCARENAS, J: The job fair, the annual CV-Tec, Essex County job fair is May 7th, from 9:00 - 2:00.

WOOD: Right and plans are moving along for that? There's a meeting in the beginning of February, again, the January one was canceled due to the weather, even though it was a Zoom. So, no questions, no remarks for Jen?

MASCARENAS, J: Jim, also let me know that on January 22nd, the Adirondack Christian Academy is sending 22 students to shadow employees at DPW.

THURSTON: 22 at one time?

MASCARENAS, J: Yes

MASCARENAS, M: The workforce is going to be very full that day.

WOOD: Thank you, Jen.

The next item on the agenda was the Clerk of the Board, Dina Garvey, Deputy, reporting as follows:

GARVEY: We have submitted our monthly report, I don't know if anyone has any questions?

WOOD: Anyone have any questions for Dina, any remarks, concerns?

GARVEY: Thank you

WOOD: Thank you

The next item on the agenda was the County Attorney, Dan Manning, reporting as follows:

MANNING: Everyone should have on their desks, the Home Rule resolution request for adoption of Senate Bill S8482 and Assembly Bill A-9098, relative to amendment of Tax Law §1202-s and our Hotel/Motel Occupancy Tax. You have the resolutions before you. I also gave you a copy of the proposed law, as it's been drafted by the Bill drafters in Albany and the existing law, which I kind of boxed in black.

Just a little bit of process for the new Supervisors, counties, towns and villages have no taxing authority. They also don't have authority to supersede State laws that have preempted various subjects, matters of State concern. So, when we come to those types of situations, and this is one of them, this is a tax, hotel/motel tax, real property taxes are the same, mortgage taxes are the same, in order to tax, we have to request from New York State Legislature, legislation an actual law that permits to tax. We have that in respect to the hotel/motel tax. What we are doing now, if you recall, in August, so we, must petition the Legislature to amend the existing 1202-s statute, and that amendment is in the resolution that we drafted in August or sent in of August of this year and the proposed Bill, provided. So, the process is, we make a request for Home Rule. Senator Stec, has taken this Bill, it is given to Bill drafters, they draft a Bill, they send it back to us, we review the Bill to make sure that it conforms to what we require, requested and that's where we're at this time. We first passed a resolution requesting that they do this, now what they do is they send back to us the actual Bill for our review and if the Bill is acceptable as we requested, what we will do at the next meeting will be pass a resolution, adopting the Home Rule Request and asking them to go forward. Then once they get that, we submit 3 or 4 other forms with it, it begins its path through the various committees and to the Governor, if it passes both the Senate and the Assembly to get to the Committee and then it's up to the Governor to sign it or not to sign it.

WOOD: So, do you want the resolution next meeting or now?

MANNING: Well, I wanted to get it in the pipeline, through my committee, which we're supposed to do. So, this would go through today, for consideration and it will also go through Ways and Means, and then it will be voted, finally, at Regular. The vote will have to be by a 2/3rd vote, as it's an important, anything having to do with Home Rule Request, and taxing, anything important enough to require a 2/3rd majority vote, weighted vote. So,

basically, in a nutshell, what we have asked, the existing law provides that we place all tax monies that we generate from hotel/motel taxes into the treasury of the County of Essex, to use in a segregated account from purposes of the tourism and promotion. Where they got the word, treasury, I don't know, but this is kind of a groovy statute, in my opinion, the way it was written and I disagree with the way it was written. So, they said treasury. We had asked that they, we be allowed to place that in the general fund which is the treasury and for the specific purposes of tourism, promotion and economic development. So, really not much has changed there, it's just a nomenclature. You should be aware, approximately, 75% of the counties in the State have no constraints on how monies they are to be used. It's just deposited into the general fund, unlike our request that it be deposited into the general fund, but placed in a segregated account for tourism, promotion and economic development and to be used only for that purpose. So, you know, if you're worried that this might be used to purchase a bunch of plows for Jim, that's not going to happen. It's got to be related to tourism, promotion or economic development, unless you start putting advertisements on your trucks.

So, that was one of the changes that we asked for. One of the other changes that we asked for was, and also you should know, that you know, the old law that allows for all these monies to be given to the Lake Placid/Essex County Chamber of Commerce, which I guess has morphed into ROOST, you know, it's specifically giving all monies to one organization, is completely, in my, a violation of every tannate of procurement, and not only that, I think it's illegal and it's also, you are the stewards of all tax monies that come into this County. Whether it be Real Property, Mortgage Tax, Hotel/Motel Tax, whatever tax that we can think of in the future. You don't have any constraints on your Real Property Tax, how it's used. You don't have any constraints on how you use your Mortgage Tax, to constraint you to use this for one organization and I am not, I am all in favor of ROOST, don't get me wrong, but it's just, to me it's improper. So, we asked that not be designated directly to ROOST, that we be able to determine who this money is going to be used for. With that being said, I don't see ROOST, I think Mike, can elaborate on this. I think ROOST is doing a great job. They're under new leadership, where there's much more accountability, questions are answered, so I don't think there's any problem there. To Mike's credit, he also developed a 5-year contract with all your towns, so that you can be rested assured that we're not going to steal any money from you guys and it's still going to be status quo. So, everything basically is going to be status quo, except for the fact that we're not going to give ROOST all the money that we bring in, less the 5%.

In 2012, the amount we received in hotel/motel taxes was approximately \$1.7 million, in 2024, it was \$7.2 million. So, you can see how that really, exponentially increased. So, everybody's happy right now, as far as I know, we're not going to do anything with ROOST. We're not going to take money from the towns. You all know that the allocation to the towns is based on a formula, the formula is, you get a lump sum amount of money and then the remainder amount of money, Mike, you can correct me, is based on where the revenue is generated. So, North Elba gets something like 78% or something like that.

MASCARENAS: Yeah, that's correct.

MANNING: So, that's locked into that agreement and that's not going to change. You know, theatrically, just so you all know, what maybe if this fund increases to \$25 million

and you say to yourselves, well, we don't want to give ROOST \$25 million, at this point, maybe you say, they have given us a budget of \$10 million, yeah, we'll given them \$10 million. We can use the other \$15 million for tourism and promotion and economic development, elsewhere or maybe ROOST will come up with a different program where they can find somewhere to put that. But, that just, you're just better stewards of the money that you're supposed to watch out for, in the way this is written. You're complying with procurement laws and I've never seen a statute written so strangely in my life.

This is the last thing and I don't want to belabor this, you know, we were permitted to use 5% of the funds for administrative costs, this new law does say that we can use up to 10% and speaking to Mike, I don't think we're going to go to 10%, but you know, you don't have a crystal ball and that's another point, you don't have a crystal ball. If you're giving everything to ROOST, without a crystal ball, you're sort of flying without a parachute. The same thing with the 10%, it doesn't lock you in, the 10%, that would be for you to determine in the future.

I don't know, I don't want to talk forever, I can take questions. I don't know if I left anything out, Mike.

MASCARENAS: No, I think you actually did great. I would rather have the Board ask questions.

CLARK: Do you need a resolution?

MANNING: Yeah, a resolution introducing the resolution adopting Home Rule Request for action.

CLARK: I have question and I'm not on this committee, are we allowed to vote on it?

MANNING: No, just those on this committee.

MASCARENAS: I think we need a first and a second.

GARVEY: Yes, right

RESOLUTION ADOPTING A HOME RULE REQUEST FOR ACTION ADOPTION BY NEW YORK STATE SENATE OF SENATE BILL S-8482 AND ADOPTION BY NEW YORK ASSEMBLY OF ASSEMBLY BILL A-9098, AMENDING SUBDIVISION 10 OF NEW YORK STATE TAX LAW §1202-S, AS IT RELATES TO THE USE OF ALL REVENUES RECEIVED FROM HOTEL/MOTEL OCCUPANCY TAX GENERATED IN ESSEX COUNTY

Reusser, Lamphear

MANNING: So, just again, we've asked for the Legislature to prepare the law, they've prepared and now we're asking that it be adopted and then it run through the cycle.

WOOD: I've got to say, after the repetition over the last couple of years, you've got it down and got it clear.

MANNING: Yeah, it's like a nursery rhyme to me now.

WOOD: Questions?

STANLEY: I'm not on this committee, so I won't, I'll save my rant for Ways and Means, but I still think and I will put on the record, I think this is a mistake to change this law as much as it's being changed and I will save that for the meeting.

TYLER: Yeah, I am not on this committee, but thank you very much for finally, after all these years, making it in the process of where we know where the money is. Since I have been on this Board, we have been asking ROOST where the money's going and we get the runaround and finally we will know, exactly where the money's going and hats off to you guys for doing all the work and it's a long time coming and thank you.

WOOD: Anyone else, any more comments, any questions? All in favor?

FOLLOS: I do have a question, do any counties in the State that you are aware of, charge occupancy tax on campground registrations?

MANNING: I'm not aware of that, in our law, I have placed in there that, let me think about it, that tents and things of that nature, there are no occupancy tax, but if there are buildings, we do charge an occupancy tax, like little yurts or sheds.

WOODL Anyone else? All in favor? Any opposed? Okay

MANNING: Okay, I just have one other resolution that you should have before you. It's a resolution in support of Senate Bill S-6956 and Assembly Bill A-8720, increasing the earning limitations for retired persons in the position of public service from the current \$35,000 limit to \$50,000. This Bill has actually passed the Senate, 59-0, so there has been bi-partisan support of this. The Bill, itself will amend the Retirement Social Security Law, which provides that public official in New York State who is retired and taking a petition, can now earn, instead of the old \$35,000.00, in public service, they can earn up to \$50,000.00 if they're working in public service and taking retirement at the same time without an adjust and it seems as those this is going to, it's got bi-partisan support, so think that there's a very good chance that once it works it's way through.

WOOD: A total of \$50,000.00, not \$50,000.00 per County, per town?

MANNING: The total.

WOOD: Anymore questions?

MANNING: So, I would ask for a motion and a second.

RESOLUTION IN SUPPORT OF SENATE BILL S-6956 AND ASSEMBLY BILL A-8720

**INCREASING THE EARNING LIMITATIONS FOR RETIRED PERSONS IN THE POSITION OF PUBLIC SERVICE FROM ITS CURRENT \$35,000 LIMIT TO \$50,000
BARBER, REUSSER**

WOOD: Any more comments? Any questions?

THURSTON: Is this for elected officials, only

MASCARENAS: No, elected are unlimited.

THURSTON: So, if I have a clerk and he is receiving Social Security and he is appointed to his position, he can now earn up to \$50,000.00?

MASCARENAS: It's not about Social Security, it's really about public employees that have retired through the public system and what they can continue to earn.

THURSTON: Gotcha, okay, thank you.

REUSSER: Could you please repeat what you said, Dan, in regards to the limit of \$50,000.00, is that per person? Per position?

MANNING: It's per person, I mean if you're married to somebody in the retirement system, they can do the same thing. They can work for a public entity and earn up to \$50,000.00.

REUSSER: I misunderstood you.

MANNING: Sorry, I might not have been clear.

STANLEY: I feel like times, I really should sit back and be quiet, but, once again, I am not on this committee, but I think this is great. Just for clarification, Mike, if there are retired law enforcement, so we have retired law enforcement working as a plow driver for us and that can only do it for so long, now this is actually extending this cap, so we can hire them on a more permanent basis. It's tough, because I have employees, I know the County is looking for employees and it's, you're almost handicapping people who want to still work and are able to work and we just don't have enough people to work and you see these people sitting there, counting their pennies to say, alright, I can't work anymore this year and it's a shame, because there are some really good employees that want to still contribute and we need them to contribute. So, I think this is a great step in the right direction.

MASCARENAS: If I had my preference, Mr. Stanley, there would be no cap.

STANLEY: I agree

MASCARENAS: There's a lot of barrier and red tape for us to try to get through when we're trying to apply for a waiver and those types of things, when you're not getting

applications and I get the intent in what the original rules and laws put in place were meant to accomplish, but the current state has changed and it's very archaic, but I would take the \$50,000.00 as a win, I think that is huge and really helps us out. The \$35,000.00 has been the case for a number of years now, so moving the dial a little bit is certainly helpful.

REUSSER: Just for the background for our newer members, the County spends a great deal of time canvassing for filling positions and if you look at Ms. Mascarenas, report, you will see positions that are still unfilled here, so we go out to canvas, we aren't getting applications from young, eligible, career building people, so these folks that have had a prior service and may need to continue to work, are people we are seeing, so that is the premise of this.

WOOD: Anyone else? All in favor? Any opposed?

MANNING: Just for everybody's edification. The 2023 tax sale has begun, petitions have been prepared, copies have been made and the homeowners notice and re-notice has been made. Mike, at printing, is printing out 1,200 copies and they will be mailed out to property owners by the end of the week and the property owners have 6-months to deem their property, which was an extension of 3, which is one of the reasons our tax sales take a little longer. So, it's all begun in the hopper, the 2024 are being searched, right now. That usually takes 3-months. There are three searching companies that do all the abstracts, so we know what we put on the paperwork, so we're edging toward being able to get right on track again.

WOOD: Anyone else have anything to bring to this committee? Okay, we're adjourned.

AS THERE WAS NO FURTHER DISCUSSION TO COME BEFORE THIS DPW COMMITTEE IT WAS ADJOURNED AT 10:29 A.M.

Respectfully submitted,

Dina Garvey, Deputy
Clerk of the Board