**WAYS AND MEANS COMMITTEE MEETING**
Monday, April 27, 2026 @ 10:00 a.m.

Matthew Brassard, Chairperson
JoePete Wilson, Vice-Chairperson

Supervisor Tyler called this Ways and Means committee meeting to order at 10:00 am with the following Supervisors in attendance: Clayton Barber, Timothy Follos, Kenneth Hughes, Mary Lamphear, Tracie McGill, Clayton Menser, James O'Bryan, Timothy Pierce, Richard Preston, Cathleen Reusser, Davina Thurston, Michael Tyler and Meg Wood. Matthew Brassard, Chris Clark, Steve McNally, Matthew Stanley and Joe Pete Wilson were excused.

Department Heads present: James Dougan, Judy Garrison, Josh Favro, Mary McGowan, Dan Manning and Michael Mascarenas

Deputies present: William Tansey

TYLER: Ways and Means, get ready for the show. We'll start with the pledge. Alright, introduction to guests, I don't see any. So, we'll move right into resolutions.

GARRISON: I'm going to do the roll call first. (Ms. McGill arrived after the roll call) Thank you. We do have a quorum.

TYLER: Thank you we'll move onto resolutions.

**PUBLIC SAFETY**
**Monday, April 13, 2026**
**Chairman – K. Hughes Vice-Chairman – D. Thurston**

1. **RESOLUTION AUTHORIZING TO CHANGE THE BOARD OF ELECTION HOURS TO 8:00 A.M. TO 4:00 P.M. BEGINNING MAY 11, 2026 – SEPTEMBER 18, 2026, WITH THE EXCEPTION THAT THE OFFICE WILL BE OPEN FROM 8:00 A.M. TO 5:00 P.M. ON ANY DAYS DESIGNATED BY EXECUTIVE ORDER OF THE GOVERNOR OR BY ACTION OF THE STATE BOARD OF ELECTION FOR THE FILING OF INDEPENDENT PETITIONS. Pierce, Reusser**

2. **RESOLUTION OF APPRECIATION AND CONGRATULATIONS TO ARTHUR BRASSARD UPON HIS RETIREMENT FROM THE TOWN OF MORIAH POLICE DEPARTMENT. Pierce, unanimous**

3. **RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT WITH PROCOMM SYSTEMS INC. IN AN AMOUNT NOT TO EXCEED $40,000.00, FOR TOWER SITE, GENERATOR AND ANTENNA MAINTENANCE AND INSPECTION IN THE EMERGENCY SERVICES DEPARTMENT WITH FUNDS TO COME FROM BUDGETED FUNDS. Barber, Hughes**

4. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD A PURCHASE ORDER TO PROCOMM SYSTEMS INC. TO REPLACE ANTENNAS AT BELFRY AND**

**GORE MOUNTAIN IN THE TOTAL AMOUNT OF $$53,951.45, WITH FUNDS TO COME FROM BUDGETED FUNDS. Thurston, Menser**

TYLER: Discussion?

HUGHES: Quick question, what's the lifespan of an antenna?

MASCARENAS: As long as it lasts. Well, to be quite honest there is some truth to that. If all went well what would you say Josh is the lifespan? This one in particular was struck by lightning but prone to lightning strikes in that area antennas that are higher are prone to that kind of problem.

FAVRO: It is between five and ten years if they don't get hit by lightning or freeze or wind or any of the environmental factors.

HUGHES: Okay thank you.

PIERCE: You talk about the lightning strikes, it would seem to me they have to be prone to lightning strikes aren't they?

MASCARENAS: Absolutely they are prone to lightning strikes, yes. We go through a process really of evaluating our entire system and maintaining it into the future and how we're going to provide that so what you're seeing here our dollars are being shifted that we had for one vendor that was doing a lot of that work and we've redefined what we want that scope to be. What we've found is some of our sites are not operating optimal. In-house we've been able to do a lot of those adjustments that have improved and they are relying specifically on our paging system which likely is going to save us a lot of money long term. About a year ago I was looking at maybe a $5 million dollar upgrade, today I am not looking at that because of what we are able to do in house. The generator maintenance, the antenna maintenance and those types of things that's really part of our responsibility to operate a system. Belfry is one of our major hubs in terms of that whole system and that site being out of commission will impact many. What we are working on right now from all of you we're in break and fix mode on some of this stuff that's not a position I prefer to be in you all know that about me. I'm more proactive and I like to have things taken care of before we're in a crisis situation but we're working on a presentation that will be made to the board and any member interested on where we were, how we got here and where we need to go next in terms of basically a long-term plan dealing with a piece of infrastructure that is huge. It's a $21million dollar project when we built it out and how are we going to maintain that piece of infrastructure in a way that you're responsible long term so we've been working on this in the background for probably a year and a half now with our in-house people at DPW and Emergency services doing a lot of the leg work on that and pretty soon you're going to see a well put together, we know technically where we're at now which is a way better position than we were at over reliance on vendors to tell us what we need not a position I want to be in. I need inhouse expertise to be able to point us in the right direction and we're getting darn close to be able to start those discussions and share with you what our findings are and what our thoughts are moving forward and how we get to a position where we are not in break and fix mode but we're more proactive in being able to deal with these things long term much like we did for our capital plan. So, I apologize for the long-winded answer but that's the answer so, what you're seeing here is break and fix type items that need to be dealt with immediately and you're also going to see a bunch of long-term planning that needs to happen in regard to this infrastructure that we're responsible for.

REUSSER: It suddenly became a thought in my mind but I assuming that there is either a way to divert a lightning strike to preserve the integrity of the system or it's cheaper for it to get hit and replace it and then how are we alerted if there is a lightning strike how do we know it is operational all that is working? I'm not asking for answers today it just sparks a whole like, what's the best way to go here?

MASCARENAS: Yeah, we can certainly provide you with all those types of answers and how that works. We do have internal controls. We do have alarm systems at our sites we know mostly when things are going badly but whether you have lightning rods up that can deter strikes those types of things we can get into the nitty gritty of a system like I said, that has a lot of assets.

TYLER: All in favor, opposed – carried.

5. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD AND ACCEPT THE BID FOR TOWER TIME & MATERIALS CONTRACT WITH JPJ, IN THE EMERGENCY SERVICES DEPARTMENT WITH FUNDS TO COME FROM BUDGETED FUNDS. Hughes, Pierce**

6. **RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE EMERGENCY SERVICES DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF $17,365.48, REVENUE OVERAGE AND TOWER RENTALS FROM 2025. Preston, Menser**

TYLER: Discussion?

MASCARENAS: We have a lot of people that pay rent on our sites. We're using some of that rental. We're shifting it towards the cost of some of these items that you're seeing above to pay for that so that's really what that's about.

TYLER: All in favor, opposed – carried.

7. **RESOLUTION RECOGNIZING THE WEEK OF MAY 17-23, 2026 AS NATIONAL EMS WEEK. Hughes, Barber**

8. **RESOLUTION AUTHORIZING THE ASSIGNED COUNSEL OFFICE TO ACCEPT YEAR ONE (1) OF A THREE (3) YEAR QUALITY IMPROVEMENT GRANT (2026-2028) FROM THE OFFICE OF INDIGENT LEGAL SERVICES, IN THE AMOUNT OF $250,000.00 PER YEAR FOR FAMILY COURT REPRESENTATION. Thurston, Pierce**

## ECONOMIC DEVELOPMENT

**Monday, April 13, 2026**

**Chairman – M. Stanley Vice-Chairman – K. Hughes**

1. **RESOLUTION AUTHORIZING THE COMMUNITY RESOURCES DEPARTMENT TO APPLY FOR A SMART GROWTH GRANT IN THE AMOUNT OF $125,000.00, AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID AGREEMENT - UPPER BRIDGE FEASIBILITY STUDY. Menser, Barber**

TYLER: Discussion?

HUGHES: Is this DEC or Department of State?

MASCARENAS: Smart Growth is DEC.

HUGHES: DEC

MASCARENAS: Yes sir and it's the bridge in Chesterfield that we've been talking about for a number of years at the board and we're finally going to get some answers and what we can do with it.

HUGHES: I only ask because I thought the Smart Growth grant just came out so is this round one or for the next round?

MASCARENAS: What had happened is they actually applied and got it. They are back tracking which is why you're seeing the accept the grant on the back of the $125,000 so you're seeing round one and two, the one and two are combined really.

HUGHES: Okay, just trying to understand it. Thank you.

TYLER: All in favor, opposed – carried.

2. **RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE COMMUNITY RESOURCES DEPARTMENT TO INCREASE REVENUES AND APPROPRIATIONS IN THE AMOUNT OF $125,000.00 - SMART GROWTH GRANT. Hughes, Menser**

**HUMAN SERVICES**
**Monday, April 13, 2026**
**Chairman – D. Thurston Vice-Chairman - C. Reusser**

1. **RESOLUTION AUTHORIZING THE ESSEX COUNTY MENTAL HEALTH DEPARTMENT TO WRITE OFF $8,039.38, IN BAD DEBT FROM 2023 AND OLDER. Thurston, Wood**

2. **RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT RENEWAL WITH BRENDON OLSEN FOR PHYSICAL THERAPY SERVICES IN THE PUBLIC HEALTH DEPARTMENT IN THE AMOUNT OF $85.00 PER VISIT. Reusser, Pierce**

3. **RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE PUBLIC HEALTH DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF $1,000.00, ADIRONDACK COMMUNITY FOUNDATION. Thurston, Menser**

4. **RESOLUTION AUTHORIZING THE PUBLIC HEALTH DEPARTMENT TO APPLY FOR A 2026 LAKE PLACID ROTARY CLUB FUNDS. Barber, O'Bryan**

5. **RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH CORNELL COOPERATIVE EXTENSION IN THE AMOUNT OF $30,000.00 FOR ADDITIONAL HEALTH PROMOTION AND SENIOR WELLNESS OPPORTUNITIES IN THE OFFICE FOR THE AGING DEPARTMENT. Wood, Reusser**

**DEPARTMENT OF PUBLIC WORKS**
**Monday, April 20, 2026**
**Chairman – C. Barber Vice–Chairman – C. Clark**

1. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO SLIC FIBER IN THE AMOUNT OF $7,245.00, FOR INSTALLATION OF FIBER OPTIC CABLE TO THE SOLID WASTE ADMINISTRATIVE OFFICE LOCATED IN THE TOWN OF LEWIS, WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Pierce, Hughes**

2. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO BPI MECHANICAL SERVICE IN THE AMOUNT OF $7,532.50, FOR ONE (1) NEW AND UNUSED BOILER BURNER ASSEMBLY FOR THE AERCO BOILER #2 LOCATED AT THE PUBLIC SAFETY BUILDING WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZNG THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Barber, Thurston**

3. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO FSI INDUSTRIES IN THE AMOUNT OF $6,274.00, FOR A SET OF ALUMINUM EXTERIOR STAIR AND RAIL COMPONENTS FOR THE PUBLIC HEALTH BUILDING ENTRANCE WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZNG THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Menser, Thurston**

4. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO HALE TRAILER IN THE AMOUNT OF $19,794.88, FOR REPLACEMENT OF ALL HYDRAULIC COMPONENTS ON A SOLID WASTE WALKING FLOOR TRAILER WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Barber, Thurston**

GARRISON: The next resolution there is a typo. I copied the wrong dollar amount. It went through committee with the correct amount. The correct amount should be $75,505.60.

5. **RESOLUTION AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO TAYLOR RENTAL IN THE AMOUNT OF $75,505.60, FOR A BANDIT 18XP WOODCHIPPER IN THE DPW-HIGHWAY WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZING THE COUTNY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Pierce, Follos**

TYLER: Discussion?

HUGHES: I prefer the $19,000 amount.

MASCARENAS: It's a much smaller chipper. (laughter)

TYLER: All in favor, opposed – carried.

6. **RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO THE ESSEX COUNTY SUICIDE PREVENTION TEAM FOR THE USE OF THE COUNTY ROADWAYS FOR THE VIVID LIFE 5K RUN ON JUNE 6, 2026. Wood, Preston**

TYLER: Discussion?

HUGHES: Is it worth noting the town that this is going to held in?

MASCARENAS: The resolution probably does. I'm guessing the full one does. It is the Town of Jay, just for public record they are trying to move it around from town to town on an annual basis. Last year it was in Schroon so it's kind of cool thing but I think the resolution probably has it in it. Does it?

MANNING: I draw the resolutions and will make sure it will have it.

TYLER: All in favor, opposed – carried.

**PERSONNEL**
**Monday, April 20, 2026**
**Chairman – M. Wood Vice-Chairman – C. Reusser**

1. **RESOLUTION REQUESTING CONSIDERATION OF THE GOVERNOR AND THE STATE LEGISLATURE ALLOWING FOR 211 WAIVER FOR EMS PERSONNEL AND URGING BROADER STATE ACTION TO ADDRESS EMS WORKFORCE SHORTAGES. O'Bryan, Hughes**

2. **RESOLUTION CHANGING THE DATE OF THE JUNE REGULAR BOARD MEETING FROM JUNE 1, 2026 TO JUNE 2, 2026 TO AVOID A CONFLICT WITH THE AATV ANNUAL MEMBERSHIP MEETING ON JUNE 1, 2026. Barber, Hughes**

3. **RESOLUTION AUTHORIZING A CORRECTION QUITCLAIM DEED OF A PORTION OF COUNTY ROUTE 4, DUGWAY ROAD LOCATED IN THE TOWN OF MORIAH, WITH THE CONSENT OF THE DPW SUPERINTENDENT, PURSUANT TO HIGHWAY LAW §118-A, PROPERTY OWNED BY JOHN BOYEA; AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE CORRECTION QUITCLAIM DEED AND ANY AND ALL NECESSARY DOCUMENTS REQUIRED. Pierce, Thurston**

4. **RESOLUTION AUTHORIZING A PROPOSED AMENDMENT TO NEW YORK STATE TAX LAW 1202-S(10). O'Bryan, Barber**

TYLER: Any discussion?

MANNING: Yeah, I have a few points I would like to make. You have before you what I distributed at Personnel which is what I think is what the consensus is as to what the new amendment to 1202-S should be. After that meeting I spoken to John Alexander who is the administrative assistant to Dan Stec and asked him you know how we are going to get this through the legislature and what the time period would be. I thought it would be a year because I thought we were late but he said we can get it in this year if we wanted to and it would simply be an amendment to what we sent before this language would be submitted instead and it would be basically (a) print to what we had before so it would read this way and I sent it in an email to everyone maybe ten days ago. I was hopeful that we might be able to have a special meeting today but because of

the AATV meetings not everyone is here and this is such an important matter that I want everybody to be here to vote either yay or nay on this thing. So, what I would want to do is ask Steve McNally to call a special meeting for next Monday after committee meetings, no wait, next Monday is regular board?

GARRISON: Yes.

MANNING: So we don't need to call a special meeting it is regular board so we can insert this into regular board which will go through ways and means here and that way we can get it in in a timely fashion. If you vote it down you vote it down but it gets it in the pipeline and what will happen after that is they will get a new sent senate bill and a new assembly bill and hopefully passed the Senator.

PRESTON: So this new amendment this will not go to the assembly and senate and then back to us?

MANNING: Yes it will. It will go to the assembly and senate then they will send us new bill numbers and I don't remember what the last bill number was 1802 so it will be 1802(a) and then we will have to have one more special meeting to finalize if we want to do that so my point too is I will need everybody to be there because I have a couple people that may not be in favor of it or whatever or are in favor of it I want everybody to get their fair share of air time to speak about it. So everybody be here next Monday which is usually the case.

FOLLOS: With the CTEF money we just voted to approve $2100 from that fund for deer proofing a community garden we bought a new fence and I'm just, I don't want to bog this down I just want to make sure that type of purchase would still be authorized under this law because that doesn't strike me as economic development which supports tourism.

MASCARENAS: I think that's kind of what we all been arguing about for some time quite frankly. My definition would be that it would be a qualifying item because it's a beautification project in your town which would enhance tourism so it might not fit the economic development that supports tourism definition but it's a project that supports tourism by improving the aesthetics of your community so I would say that that's allowable. Now I'm not the end all be all on that in our system and in our CTEF guidelines we do have a process which you can make recommendations when you don't know and three of your colleagues will be selected by being far away from that decision making in terms of your community and myself and we go through those items requested with a fine tooth comb and make a recommendation to you yay or nay on whether any specific dollar amount so there are processes in place when you're unsure. I would specifically think the one that you proposed is very much allowable. I don't know if anybody has a different opinion but I would say so.

FOLLOS: Thanks. Yes it certainly strikes me as community enhancement and yes, when you look at through beautification lens I can see how it supports tourism. I wasn't thinking about it that way. Thank you.

TYLER: All in favor, opposed – carried.

**FINANCE/TAX REDUCTION/MANDATE RELIEF**
**Monday, April 20, 2026**
**Chairman – I. Tyler Vice-Chairman – JP. Wilson**

1. **RESOLUTION ACCEPTING THE SEMI-ANNUAL MORTGAGE TAX REPORT, OCTOBER 2025 – MARCH 2026 PURSUANT TO NEW YORK STATE TAX LAW 261. Barber, Thurston**

2. **RESOLUTION AUTHORIZING THE COUNTY CLERK'S OFFICE AND DMV TO OBSERVE SUMMER HOURS OF 8:00 A.M. TO 4:00 P.M. DURING THE MONTHS OF JUNE, JULY AND AUGUST 2026 PURSUANT TO COUNTY LAW 206. Menser, Reusser**

TYLER: Discussion?

MASCARENAS: Just quickly, you're seeing a few of these this month for new board members some of these offices County Clerk, Treasurer, Board of Elections their office hours are not determined by us they are determined by statue so that's why you're seeing them seeking permission to change hours for summer activity. They are allowed to as part of that statue with your approval so that's why you're going to see these reoccur on an annual basis but most departments we do have the ability to set their hours whether they are 7:00 to 3:00, 8:00 to 4:00 or 9:00 to 5:00 but some hours we do not and that's why you're seeing these special permissions being requested.

TYLER: All in favor, opposed – carried.

3. **RESOLUTION AUTHORIZING THE TREASURER'S OFFICE TO OBSERVE SUMMER HOURS OF 8:00 A.M. TO 4:00 P.M. BEGINNING MAY 4, 2026 THROUGH SEPTEMBER 4, 2026. Pierce, O'Bryan**

4. **RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE SOCIAL SERVICES DEPT. INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT OF $93,743.00 FROM NEW YORK STATE FOR NYS SUMMER YOUTH EMPLOYMENT PROGRAM. Pierce, Hughes**

5. **RESOLUTION AMENDING RESOLUTION NO. 75 OF APRIL 6, 2026 TO AUTHORIZE A BUDGET AMENDMENT IN THE INFORMATION SYSTEMS DEPT. IN THE AMOUNT OF $6,539.73 TRANSFERRED FROM THE CONTINGENCY ACCOUNT TO COVER THE CONTRACT WITH BLACK CREEK FOR AN UPGRADE OF MAXXESS CARD ACCESS SOFTWARE. Menser, Thurston**

6. **RESOLUTION AUTHORIZING ESSEX COUNTY SOIL& WATER ACCESS TO ESSEX COUNTY'S REFORESTATION PROPERTIES IN THE TOWNS OF KEENE, LEWIS, JAY, MINERVA & ESSEX TO CONDUCT EVALUATIONS OF THE PROPERTIES. Pierce, Hughes**

7. **RESOLUTION AUTHORIZING THE ESSEX COUNTY WIC TO APPLY FOR THE ELIZABETHTOWN COMMUNITY HOSPITAL COMMUNITY HEALTH INVESTMENT GRANT IN THE AMOUNT OF $5,000.00. Menser, Preston**

8. **RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE ESSEX COUNTY WIC DEPARTMENT INCREASING REVENUES AND APPROPRIATIONS IN THE AMOUNT**

**OF $1500.00, EXCELLUS HEALTH EQUITY INNOVATION AWARD FOR 2026. Pierce, Menser**

9. **RESOLUTION SUPPORTING THE FRANKLIN COUNTY MUNICIPAL BROADBAND DEPLOYMENT CAPITAL ($138,086) PROJECT FOR PURPOSES OF NYSDEC REVIEW AND ATTESTING TO REQUIRED CONDITIONS. Thurston, Wood**

## MISCELLANEOUS

1. **RESOLUTION RECOGNIZING LONG TERM EMPLOYEES FOR THE MONTH OF MAY. Tyler, unanimous**

TYLER: Anything else to come before this ways and means?

GARRISON: Everyone has a copy on their desks from DPW, a resolution authorizing a contract amendment in an amount not to exceed $129,493.90, to All State Construction for the installation of the concrete pile cap for the Moss Road over the Boquet River Bridge replacement project, located in the Town of Lewis with funds to come from budgeted US Fish & Wildlife funds and further authorizing the County Chairman or County Manager to execute said contract amendment.

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT IN THE AMOUNT NOT TO EXCEED $129,493.90, TO ALL STATES CONSTRUCTION FOR THE INSTALLATION OF THE CONCRETE PILE CAP FOR THE MOSS ROAD OVER THE BOQUET RIVER BRIDGE REPLACEMENT PROJECT LOCATED IN THE TOWN OF LEWIS, WITH FUNDS TO COME FROM BUDGETED US FISH AND WILDLIFE FUNDS. Pierce, Reusser.**

TYLER: Any discussion?

HUGHES: Where is All State Construction out of?

DOUGAN: It is the former Hutchins Construction but they were bought out.

MASCARENAS: They were bought out last summer.

HUGHES: Okay so it's a new contract. I recognize it that's why.

DOUGAN: They were bought out by this bigger –

MASCARENAS: Is it Maine or New Hampshire?

DOUGAN: No, they are in New York State. Gorman Construction you might have heard before it is kind their parent company.

HUGHES: Okay.

TYLER: I can tell you we had a job in Westport done by them last year and they did a great job.

HUGHES: Great, thank you for that.

TYLER: Anything else? All in favor, opposed – carried.

FOLLOS: Do you any of your towns pay your planning board members at all?

WOOD: What a great question.

TYLER: No.

HUGHES: I offer a stipend to my chairman of $500 for the extra work he has to put into to develop the agenda, write the permits, answer any extra questions, talk to the press potentially but everybody else on my planning board is a volunteer.

FOLLOS: Thank you.

TYLER: Westport we don't pay anything.

REUSSER: Elizabethtown we don't.

WOOD: We do not pay our planning board people or zoning board people however, our planning board is very twitchy right now about the possibility of a lawsuit over a housing project which has not been formerly put before them but the natives are really restless. We have a problem with a local law on defense of town officers and employees law and I've spoken to Dan about this, "the term employee should be any person holding a position by election or employment service by the town, which shall not include volunteer, any person not compensated for his services or an independent contractor." Which seems to contradict the appointment and we're dealing with that right now.

MANNING: Were you going to send me that?

WOOD: Yeah, I was but then I talked to our town attorneys –

MANNING: Off the cuff just hearing that planning board members, zoning board members they are all appointed there is a distinction between an appointed official and a volunteer so I understand why volunteers are not covered.

WOOD: Okay so there is a legal differentiation.

MANNING: Most definitely, they are appointees that's just my two cents. I'm just hearing what you said I don't know what the rest of it reads.

HUGHES: And to support that I'm not a lawyer your planning board members and zoning board members they take an oath of office so they should be covered by public officers law.

MANNING: They are.

WOOD: Well, and that's the point except our local law says if they are not paid you're not covered.

MANNING: It does say not paid? Well, then that needs to be changed.

WOOD: So we'll pay them a dollar year or a hundred dollars a year rather than go through the weeds of is it a stipend, is it a wage, what legally and on and on.

HUGHES: Then again, if there's a lawsuit we experienced in our subrogated petition in Essex and they may be named in that petition but the town's legal defense is what pays for their legal defense right? They are not sued privately because they are acting in the public good.

MANNING: Yes. They are indemnified.

WOOD: Four retired New York executives on the board.

HUGHES: Again, I'm not an attorney.

TYLER: If you were, and everybody I ask as an attorney they all give a different opinion. Anything else?

THURSTON: Actually I have a question along those lines so, St. Armand is considering doing zoning Dan, do you recommend paying them like a $100 just so they fall under an employee?

MANNING: No, no they are appointed officials as Ken said, they are appointed, they take an oath of office, they are cloaked with the same immunity and indemnification all the same privileges I'll say, that employees would have so you don't have to pay them. No. I don't know any towns that pay planning board members or zoning board members but maybe there is a town that does it. Not to say you can't do it if you want to.

REUSSER: I'm aware that other board of supervisor members had received email correspondence from Violet Martin on the BEST moratorium which is the lithium battery energy storage systems and also discussion do towns have a moratorium process and policy in order to enact moratoriums. So I guess my question here is do we eighteen supervisors if we are all in fact receiving this emails take this as individual towns or do we want to look at this across the park because we already have the awareness of our limitations in car battery fire suppression we would we want these in our park? I believe they are preying on us my weekend investigation, it looks like they are preying on small towns and areas that people might not be well thought on the subject so I just wanted to bring that up.

MANNING: I know Davina has a moratorium, a lot of towns in the state has done them so on a townwide basis all that is required is a local law some of them are for six months, a moratorium for six months to a year and that is to give you ample time to evaluate the situation and ensure what regulations you want to put on these BEST systems. NYSERTA has quite a lot of information on the systems the good, the bad and the ugly and there are a lot of things that need to be considered so, towns can go on to their website, they can look at that. They also have a model local law, they also have a Q&A section. Any of the eighteen towns with BEST to really closely exam these things as far as you can prohibit BEST systems completely within your town or within your county there's only one town that has done that. There's a lot of literature I haven't gone through yet that says it might be unconstitutional or the way a band has to be crafted, it has to be crafted very carefully so there is only one that I found in my quick review of all the laws that are filed with the New York State Department of State which includes all town laws and all county laws village laws also so, there's information out there. A moratorium would be wise in your towns I do not know of any counties yet that have done any but I wasn't checking that but I will check that if you like.

MASCARENAS: So, if I could just add to Dan's answer quickly you'll hear me say this from time to time I don't like to get out of my lane when it comes to these types of activities to me, we have

eighteen individual towns with eighteen different ideas with how things should operate in their towns and I find when we act like we're the State of New York and have that top down approach where we tell you what is best we are almost removing the ability of the locals in being able to having their decision making on their own. I think it's a philosophy but can we get involved? We can. I think we should be here to support the towns in what they decide they want to do and give them the legal expertise and the information they need to make a decision regarding this but for our body to make a decision that tells eighteen other towns what they can and can't do I'm not sure in my mind what it necessarily be appropriate because maybe it works very well for you in Chesterfield and maybe not so well in Ti. I don't know that I want to tell you that and give you that answer.

MANNING: That's a perfect answer and you want to be in charge of your own town.

REUSSER: Normally and I revolve that what I'm looking at here that this is a complex subject it should be all of us not necessarily you telling us to opt out or what to do. I actually agree with this methodology I just don't believe that we're ready in terms of our infrastructure to handle it and that's my concern at this point in time.

HUGHES: The Town of Essex passed a moratorium on September of 2025 following a local law enacting "temporary moratorium on major solar energy systems and battery energy storage systems, for a period of six months from the effective date no application shall be accepted or considered by the planning board or Town of Essex for major solar energy systems defined as a ground or roof mounted solar energy system designed and intended to supply energy to a utility grid for offsite consumption and/or for sale or for major battery energy storage systems defined as one or more devices assembled together capable of storing energy in order to" - I'm missing a page but that is essentially what we did and we just extended that moratorium for another six months.

MANNING: And that is a duel thing that's not only solar but it is the BEST system too.

HUGHES: That is correct, yes.

MANNING: A lot of towns are doing that but it has to be, you should know there is a distinction too between commercial solar, BEST and community solar and BEST and your mom & pops want to stick it on top of their roof you don't want prohibit that solar ability to use your own energy and that definition what he read does provide for that. It doesn't come right out at you but it does provide for that.

MENSER: A couple weeks ago I spoke with Davina about that because they passed a local law in St. Armand. I got a copy of her law, I plagiarized it, made it a Crown Point law, submitted it to our lawyer for approval before we have our public hearing on May 14 and one of the first things she pointed out to me was that Crown Point does not have a zoning law.

MANNING: Doesn't matter.

MENSER: Well, according to her you can't limit this solar systems and battery issued storage systems on a commercial and industrial level if you have no zoning so it would have to be up to the county to do something instead of the town.

MANNING: Makes no sense why would we change it from the town to the county because the county has no zoning number one. In my research that issue is raised by people but this is just a first free look at this but from what I've seen even though you have no zoning you can do it. As long as you've got it by local law. If you have zoning then you are amend to the zoning restrictions.

MASCARENAS: I don't know the specifics but right, if you elect to not have zoning your zoning is APA.

MANNING: Well, no

MASCARENAS: In hamlets.

MANNING: Not really but –

MASCARENAS: Not so much the case

MANNING: The APA is APA you know they have their zoning laws but they are more geared to the area in which you can build things and some commercial respect it doesn't get into full zoning so zoning is different with the APA but APA remains zoning there's no doubt about that.

O'BRYAN: I was just going to say, I had a chance to talk to Violet on Friday first time I had spoken with her and she asked me, Ticonderoga has a moratorium over the last month we put in place for six months with a renewal of another six months if we need it. We did quite a bit of research they came to us four months ago and asked us to consider installing a system in Ticonderoga and we have actually met with their safety division and with their departmental division two weeks ago and Emergency Services were there enforce to help us out along with our fire chief. The problem I've got is if you have ever gone and looked at where they site their siting in next to a transfer center a major transfer center for power but within a half a mile of that center as a crow flies, less than that I've got a hospital and I've got two nursing homes attached to the hospital then I've got two elderly facilities separate from the hospital so I've got a huge number of people to move quickly who would have trouble moving quickly most days and so as I look at this and talked about it she is from the Great Sacandaga she lives in Syracuse area now but she wants to move back with her husband to Sacandaga retire there someday her parents still live there and I thought that the one in Northhampton was a done deal but she said no, the APA has approved it the first one in the Adirondacks but it is not in place. I thought it was getting put in place but it's not so a lot more to come on this. I think like you said from all of us we stay in touch with each other and let each other know what's going on and make sure you guys know. We have our public hearing coming up the second Thursday of next month on this subject matter but I've been doing a lot of research. Hazmat is my background. I grew up in hazmat so that was some kind of talk with the gentlemen in the safety division was a member of the New York City Hazmat team he was an operating lieutenant on the hazmat team. He knew his stuff, he really did and we talked but there is just so many facets not just the battery system what happens if the battery system goes in runaway mode which means to burn, catch fire that is caused by overheating or by moisture getting into the battery systems there is so much that goes on after that people don't know it's not just the fire it's everything that comes after that. There is some studies now underway across the country to look at this. You would like to think it would be a great system and help us with our power generations and supplying power but I'm not sure yet.

TYLER: Thank you.

FOLLOS: Sounds like we are all kind of thinking along the same lines. In Wilmington for the past few years we've talking about, people bring up the idea of putting in a solar field at the former town landfill and we did look into it. We looked into a solar field and a batter storage facility at the former town landfill. The solar field would pay the town two to three thousand a month, the battery would be thirty thousand a year but neither would work at the former landfill because you need phase 3 infrastructure and there is only phase 1 powerlines on that road so neither would work in Wilmington I just thought that might be some information for the rest of the board.

MASCARENAS: That is helpful.

TYLER: Anything else? Thank you very much. We are adjourned. Have a great day and week.

As there was no further discussion to come before this ways and means committee it was adjourned at 10:46 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors