

CONDENSED MINUTES
MONTHLY BOARD MEETING
MARCH 15, 2019

Fort Edward, New York, Friday, March 15, 2019.

The Board of Supervisors convened in regular session at 10:00 AM at the County Office Building, Fort Edward, New York pursuant to Rule 1 of Rules of said Board.

CHAIRMAN HENKE called the meeting to order and presided.

Mr. Shay offered the prayer.

Mr. O'Brien led the Pledge of Allegiance to the Flag and read the Fire Safety Notice.

The Clerk called the roll:

PRESENT: 16 Henke, Fedler, Ferguson, Shaw, Moore, Middleton, Hicks, O'Brien, Haff, Campbell, Skellie, Hogan, LaPointe, Clary, Shay, Rozell

ABSENT: 1 Idleman

CHAIRMAN HENKE announced the birth of the County Administrator's son at 11+ pounds.

Following the reading of the public hearing notice by the Clerk, CHAIRMAN HENKE opened the public hearing on parcels requesting inclusion in certified ag districts at 10:05 AM. After calling for public comment three times and none being offered, CHAIRMAN HENKE closed the public hearing at 10:06 AM.

Following the reading of the public hearing notice by the Clerk, CHAIRMAN HENKE opened the public hearing on the reaffirmation of Consolidated Ag District No. 3 at 10:07 AM. After calling for public comment three times and none being offered, CHAIRMAN HENKE closed the public hearing at 10:08 AM.

CHAIRMAN HENKE introduced Kevin Crawford, Executive Director of New York Municipal Insurance Reciprocal who presented an award to Supervisor Matt Hicks for the Town of Granville's efforts in risk management.

CHAIRMAN HENKE introduced Bob Akland of the Historic Salem Courthouse Preservation Association who did a video presentation. They were there to promote awareness of their organization and events. They are also looking for members to join. They may also be looking for letters of support from the County and/or Towns for grants they apply for.

The condensed minutes of the February 15, 2019 meeting were accepted as mailed.

The Clerk read the communications.

A motion to accept the March Audit Report, was moved by Mr. Middleton, seconded by Supervisors Ferguson, Hogan, Clary, Rozell and adopted.

CHAIRMAN HENKE announced a Proclamation Issued for Crime Victims' Rights Week, April 7 – 13, 2019. He also urged Supervisors to attend the Crime Victims' breakfast.

CHAIRMAN HENKE asked if any Supervisor had any request for Supervisors' Privilege of the Floor.

There were no requests.

CHAIRMAN HENKE asked that the resolutions be introduced.

Resolution No. 59 March 15, 2019 By Supervisors Skellie, Fedler, Shaw, Rozell – TITLE: Approve Parcels Requesting Inclusion in Certified Agricultural Districts Pursuant to Chapter 523 of the Laws of 2003.

Resolution No. 60 March 15, 2019 By Supervisors Skellie, Fedler, Shaw, Rozell – TITLE: To Reaffirm Consolidated Agricultural District No. 3.

Resolution No. 61 March 15, 2019 By Supervisors Skellie, Fedler, Shaw, Rozell – TITLE: To Waive Training Requirements of County Planning Agency Members.

Resolution No. 62 March 15, 2019 By Supervisors Fedler, Campbell, Shay, Haff, Hicks, Skellie, Middleton, Rozell – TITLE: A Resolution Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-aid and State “Marchiselli” Program-aid Eligible Costs, of a Transportation Federal-aid Project, and Appropriating Funds Therefore; BIN 3306450 CR 61 (Shushan), Over Battenkill, Towns of Jackson and Salem PIN 1755.28.

Resolution No. 63 March 15, 2019 By Supervisors Fedler, Campbell, Shay, Haff, Hicks, Skellie, Middleton, Rozell – TITLE: A Resolution Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-aid and State “Marchiselli” Program-aid Eligible Costs, of a Transportation Federal-aid Project, and Appropriating Funds Therefore; CR46 (Durkeetown Road) US 4 to Plum Road, Town of Fort Edward PIN 1760.97.

Resolution No. 64 March 15, 2019 By Supervisors LaPointe, Idleman, Skellie, Ferguson, Middleton – TITLE: In Support of Governor Cuomo’s Proposal to Invest an Additional \$15 Million into the New York State Office for the Aging Budget.

Resolution No. 65 March 15, 2019 By Supervisors Hicks, Campbell, LaPointe, Fedler, Hogan – TITLE: Amend Employee Handbook – Section #4.006 – Policy Against Discrimination and Harassment.

Resolution No. 66 March 15, 2019 By Supervisors Campbell, O’Brien, LaPointe, Shay, Haff, Hogan, Clary – TITLE: To Authorize the Chairman to Sign Contract with Gov Pay.

Resolution No. 67 March 15, 2019 By Supervisors Fedler, Campbell, Shay, Haff, Hicks, Skellie, Middleton, Rozell – TITLE: To Authorize the Chairman to Sign Agreement with National Grid for the Provision of a Temporary Structure Across the Battenkill River.

Resolution No. 68 March 15, 2019 By Supervisors Shaw, O’Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend 2019 Budget – Mental Health for 100% State Aid.

Resolution No. 69 March 15, 2019 By Supervisors Shaw, O’Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend 2019 County Road Fund Budget to Purchase Sign Shop Cutter.

Resolution No. 70 March 15, 2019 By Supervisors Shaw, O’Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: To Increase Petty Cash for Department of Social Services.

Resolution No. 71 March 15, 2019 By Supervisors Shaw, O’Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend Budget Capital Project No. 114 – SD#2 LTCP – WIIA Grant Award.

Resolution No. 72 March 15, 2019 By Supervisors Shaw, O’Brien, Campbell, Haff, Hicks, Fedler, Skellie,

Hogan, Middleton, Clary – TITLE: Amend 2019 IT Department Budget to Cover Costs Associated with Kronos Overhaul Project.

Resolution No. 73 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend 2019 Personnel Department Budget to Cover the Advertising of Vacant Positions.

Resolution No. 74 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend 2019 IT Department Budget to Recognize FY 2017 Cybersecurity Grant.

Resolution No. 75 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend 2019 Public Health Budget for Purchase of New Laptops.

Resolution No. 76 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Providing County Approval Pursuant to New York Public Health Law §4120 to Combine the Town of Whitehall and Village of Whitehall Vital Statistics Registration Districts.

Resolution No. 77 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: To Authorize the Chairman of the Board to Sign Memorandums of Agreement with the MS4 Communities and Regional Planning Board for Purposes of the Washington County Mapping and Enhanced Pollution Reduction Program.

Resolution No. 78 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: To Oppose the Proposed and Amended SFY 2019-2020 Executive Budget Regarding Aid and Incentives to Municipalities and County Sales Tax Revenues.

Resolution No. 79 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Amend 2019 Budget – Road Machinery Fund for Replacement of Putnam and Granville Fuel Systems.

Resolution No. 80 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: To Authorize the Chairman of the Board to Sign a Memorandum of Agreement with Saratoga County for the Inspection of the Dix Bridge.

Resolution No. 81 March 15, 2019 By Supervisors Shaw, O'Brien, LaPointe, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: To Authorize Agreement with the Village of Fort Edward and Fort Edward School District Concerning Tax Payment Due from Washington County.

Resolution No. 82 March 15, 2019 By Supervisors Shaw, O'Brien, LaPointe, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Cancellation of Interest & Penalties Tax Map No. 163.15-1-4 and 163.-2-20.1.

Resolution No. 83 March 15, 2019 By Supervisors Shaw, O'Brien, LaPointe, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Authorize the Cancellation and Exemption of Certain Parcels Located in the Town of Fort Edward from Taxation Pursuant to RPTL Article 11.

Resolution No. 84 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie, Hogan, Middleton, Clary – TITLE: Authorize the Chairman of the Board of Supervisors to Sign Contracts for Employee Health Care and Dental Plans.

Resolution No. 85 March 15, 2019 By Supervisors Shaw, O'Brien, Campbell, Haff, Hicks, Fedler, Skellie,

Hogan, Middleton, Clary – TITLE: To Approve the Offering of a New, Voluntary, High-Deductible Health Insurance Plan.

The Board went on to consider the resolutions.

Resolution No. 59, moved by Mr. Skellie, seconded by Supervisors Fedler, Ferguson, Shaw, O'Brien, Campbell, Rozell and adopted.

Resolution No. 60, moved by Mr. Skellie, seconded by Supervisors Fedler, Ferguson, Shaw, Campbell, Rozell and adopted.

Resolution No. 61, moved by Mr. Skellie, seconded by Supervisors Fedler, Ferguson, Shaw, Campbell, Rozell. CHAIRMAN HENKE asked for discussion. Mr. Campbell asked if there could be any future liability from waiving this training and the County Attorney stated no. Resolution No. 61, moved by Mr. Skellie, seconded by Supervisors Fedler, Ferguson, Shaw, Campbell, Rozell and adopted.

Resolution No. 62, moved by Mrs. Fedler, seconded by Supervisors Ferguson, Shaw, Middleton, Campbell, Skellie, Rozell and adopted.

Resolution No. 63, moved by Mrs. Fedler, seconded by Supervisors Ferguson, Middleton, O'Brien, Campbell, Shay and adopted.

Resolution No. 64, moved by Mr. Skellie, seconded by Supervisors Fedler, Ferguson, Middleton, O'Brien, Campbell, Shay, Rozell and adopted.

Resolution No. 65, moved by Mr. Hicks, seconded by Supervisors Fedler, Ferguson, Campbell and adopted.

Resolution No. 66, moved by Mr. Campbell, seconded by Supervisors Fedler, Ferguson, O'Brien, Clary, Shay and adopted.

Resolution No. 67, moved by Mrs. Fedler, seconded by Supervisors Ferguson, Shaw, Middleton, Shay, Rozell and adopted.

Resolution No. 68, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary and adopted.

Resolution No. 69, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell and adopted.

Resolution No. 70, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell, Clary and adopted.

Resolution No. 71, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, O'Brien, Campbell, Clary and adopted.

Resolution No. 72, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, O'Brien, Campbell, Clary and adopted.

Resolution No. 73, moved by Mr. Shaw, seconded by Supervisors Fedler, Middleton, O'Brien, Campbell, Clary and adopted.

Resolution No. 74, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, O'Brien, Campbell, Clary and adopted.

Resolution No. 75, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, O'Brien, Campbell, Clary and adopted.

Resolution No. 76, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell, Clary, Rozell and adopted.

Resolution No. 77, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, O'Brien, Campbell, Clary and adopted.

Resolution No. 78, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary, Rozell and adopted.

Resolution No. 79, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary and adopted.

Resolution No. 80, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell and adopted.

Resolution No. 81, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary. CHAIRMAN HENKE asked for discussion. The Chairman asked Roger Wickes, Al Nolette and Chris DeBolt to update the Board on the Fort Edward issue, Resolutions 81-83. Roger Wickes stated that he does not see any problem with the Judges signing off on the assessment challenge, as long as all the parties are in agreement and it is within the law. Al Nolette explained that the net effect of this resolution is he will be returning to the school and village what he would have, if this challenge had never occurred. There is no fund balance impact for this resolution except for the interest lost on the monies that could be retained by the County. Resolution No. 81, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary and adopted.

Resolution No. 82, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, O'Brien, Campbell, Clary, Rozell. CHAIRMAN HENKE asked for discussion. Roger Wickes stated that the stipulation contains the provision that the County is waiving the interest and penalties. The Treasurer explained that only the penalties have an impact on the fund balance. The interest gets recorded when payment is made. With the settlement, the amount of fund balance that would be reduced for penalties is \$133,488.55. The Chairman called a point of order because Mr. LaPointe left the room, so the vote will be delayed until he returns. The Treasurer recommended an amendment to this resolution to make clear that the interest and penalties would not be waived for the 2019 taxes, should they be returned to the County. The Chairman announced that Mr. LaPointe was leaving to go to the doctor and will not be returning and asked that the seconds be redone. Resolution No. 82, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, O'Brien, Campbell, Clary, Rozell. A motion to amend Resolution No. 82 to add a resolved "that in the event that all three (3) tax liens are not satisfied by March 31, 2019 and there has been an executed stipulation of settlement by March 31, 2019, any tax liens remaining will be subject to all statutory penalties and interest prospectively from April 1, 2019", moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell and adopted. Resolution No. 82, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, O'Brien, Campbell, Clary, Rozell and adopted, as amended.

Resolution No. 83, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell, Clary. CHAIRMAN HENKE asked for discussion. The Treasurer called this the protection resolution. If he invokes section 1138 of the RPTL, this resolution would trigger a write off of existing tax liens and a higher chargeback to the entities than they would have had under the stipulation. This resolution is in place because there are no

certainties. He has no reason to believe the stipulation is not moving forward as presented. He explained that if this resolution passes today and he never files the 1138 with the County Clerk and Town Assessor, the cancellation and exemption of these parcels does not happen. Resolution No. 83, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Campbell, Clary and adopted. Mr. Middleton opposed.

Resolution No. 84, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary and adopted.

Resolution No. 85, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Middleton, Campbell, Clary and adopted.

CHAIRMAN HENKE asked for Supervisors' comments. Mrs. Fedler recognized all the Washington County students selected for Teen Excellence Awards, including Stacey Benson-Doty's daughter, Molly. Mr. Shay announced that the American Legion is celebrating their 100th Anniversary. Mr. Ferguson commended all the highway employees for the 36 storms they have dealt with this year. Chairman Henke commended the Sheriff's department for apprehending a suspect that had escaped while being treated at the hospital. He also congratulated the Cybersecurity Officer for getting the grant. The OFA and Argyle drama club are doing their dinner show on April 4th at 5 PM. The ceremonial tree tapping is today at noon in Argyle. Mr. O'Brien noted that the Cybersecurity Officer was invited to attend the National Cybersecurity conference in Denver.

Mr. Shaw announced the adjournment of the meeting at 11:20 AM.

*Respectfully submitted,
Sandy Huffer, Deputy Clerk*