

CONDENSED MINUTES
MONTHLY BOARD MEETING
MAY 15, 2020

Fort Edward, New York, Friday, May 15, 2020.

The Board of Supervisors convened in regular session at 10:03 AM via teleconference.

CHAIRMAN HALL called the meeting to order and presided.

Mrs. Clary 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: 17 Henke, Fedler, Ferguson, Shaw, Hall, Losaw, Hicks, Ward, O'Brien, Haff, Campbell, Skellie, Hogan, Wilson, Clary, Griffith, Rozell

Tim Hardy, Deputy Director of Public Safety gave the COVID-19 response update, including current statistics. He also directed people to the Washington County COVID-19 information site which is updated daily. NY PAUSE has been extended through May 28, 2020. Face coverings in public is in effect through June 13, 2020, when unable to social distance. The County State of Emergency is in effect through June 12, 2020 and Executive Order in effect through June 1, 2020. Cloth face coverings have been distributed throughout the County and can be picked up by appointment through the Public Safety department.

CHAIRMAN HALL announced that Congresswoman Elise Stefanik would be addressing the Board at 10:30 AM.

The Clerk read the communications.

The condensed minutes of the April 17 and May 1, 2020 meetings were accepted as mailed.

A motion to adopt the May Audit Report, was moved by Mr. Losaw, seconded by Supervisors Ferguson, Griffith, O'Brien, Ward, Clary, Rozell. Discussion. Mr. Haff asked if the Board would get a report today on how much has been spent on hazard pay. Chairman Hall stated that information would be reported later in the meeting. Mr. Griffith asked if that could be reported by department. Treasurer Nolette stated he could report a gross number today, but breakdown by department would have to be forwarded later. A motion to adopt the May Audit Report, was moved by Mr. Losaw, seconded by Supervisors Ferguson, Griffith, O'Brien, Ward, Clary, Rozell and adopted.

A motion to adopt the Mortgage Tax Warrant, moved by Mr. Shaw, seconded by Supervisors Ferguson, Fedler, Losaw, Ward, Campbell and adopted.

CHAIRMAN HALL asked if any Supervisor had any request for Supervisors' Privilege of the Floor. There were no requests.

CHAIRMAN HALL asked that the resolutions be introduced. A motion to set aside the rules to present Resolution No. 144, 150, moved by Mrs. Fedler, seconded by Supervisors Henke, Ward, Wilson, Ferguson, Campbell and adopted by the following roll call vote:

AYES: 17 Henke, Fedler, Ferguson, Shaw, Hall, Losaw, Hicks, Ward, O'Brien, Haff, Campbell, Skellie, Hogan, Wilson, Clary, Griffith, Rozell

AYES: 4,024

Resolution No. 141 May 15, 2020 By Supervisors Ward, Hogan, Haff, Hicks, O'Brien, Clary, Rozell – TITLE: To Make Appointments to the Washington County EMS Advisory Board.

Resolution No. 142 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: Amend 2020 Budget – County Road Fund for 2019 Encumbrances.

Resolution No. 143 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: Supplemental Mortgage Tax Disbursements.

Resolution No. 144 May 15, 2020 By Supervisors Clary, Hall – TITLE: Resolution of Support and Sincere Appreciation to Glens Falls Hospital and Their Dedicated Employees and Endorsing Their Ongoing Efforts to Obtain Federal and State Reimbursement of Costs Borne in Connection With the COVID-19 Pandemic.

Resolution No. 145 May 15, 2020 By Supervisors Campbell, Haff, Hicks, O'Brien – TITLE: To Modify Operation of County Parks for 2020 Season.

Resolution No. 146 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: To Authorize the Treasurer to Pre-Pay Contractual Expenses for Certain Contracts with Glens Falls Hospital.

Resolution No. 147 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: To Amend 2020 General Fund Budget to Recognize CARES Act Funding for Board of Elections.

Resolution No. 148 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: To Amend 2020 General Fund Budget for Interfund Transfer to Car Pool Fund.

Resolution No. 149 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: To Award Contract for CR 46 Pavement Preservation Project.

Resolution No. 150 May 15, 2020 By Supervisor Shaw – TITLE: To Amend Capital Project No. 121 – Sewer District No. 1 Engineering and Rehabilitation.

Resolution No. 151 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: To Amend Real Property Tax Services 2020 Budget to Recognize Additional County-Wide Assessing Grant Monies.

Resolution No. 152 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: Authorize Placement of Dispatcher on Step for Experience.

Resolution No. 153 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: Amend DPW Staffing Pattern for the Summer Construction Season.

Resolution No. 154 May 15, 2020 By Supervisors Shaw, O'Brien, Campbell, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Losaw, Ward – TITLE: Amend Resolution 131 of 2020.

Resolution No. 155 May 15, 2020 By Supervisors Campbell, Rozell, Haff, Hicks, O'Brien, Ferguson, Losaw – TITLE: To Adopt County-Wide Mask Policy.

The Board went on to consider the resolutions.

Resolution No. 141, moved by Mr. Ward, seconded by Supervisors Henke, Fedler, Ferguson, O'Brien, Campbell, Clary, Rozell and adopted.

Resolution No. 142, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Losaw, Campbell, Skellie, Rozell and adopted.

Resolution No. 143, moved by Mr. Shaw, seconded by Supervisors Henke, Fedler, Losaw, Ward, Campbell, Clary and adopted.

Resolution No. 144, moved by Mrs. Clary, seconded by Supervisors Henke, Ferguson, Ward, Campbell, Skellie, Griffith, Rozell and adopted.

Resolution No. 145, moved by Mr. Campbell, seconded by Supervisors Henke, Fedler. Discussion. Mr. Wilson stated that the Town of Putnam will open their park including the restrooms.

Congresswoman Stefanik joined the meeting via teleconference. She thanked Washington County stating it has been tremendous working with our officials. The House of Representatives is voting on a relief package today. Unfortunately, it was not negotiated with the White House or the Senate so this will not be the final package. She is focused on having a bi-partisan legislative package that provides direct funding not only to the States but directly to the Counties and Schools. She feels that is important so that Albany cannot take that money. The entire New York delegation is working on this. Previously the legislation had a population cut-off of 500,000 to qualify which she feels is a non-starter. Due to their unique geographic location, Glens Falls Hospital didn't qualify for the federal pot of hospital money. She is working with Glens Falls Hospital and the federal department of Health and Human Services to make

sure they can provide some form of financial relief. She will continue to work with the Washington County Task Force. Chairman Hall asked if anyone had any questions and none were asked.

Assemblyman Stec also joined the meeting. He thanked everyone for all the work done. Most of the calls he receives are on unemployment. The Department of Labor has been overwhelmed. They have hired more people but there is training involved. Any constituents who are having trouble with unemployment can call his office and they will work on their behalf. The Assemblyman has concerns about the economy in this crisis. The Counties will have a real problem with poverty and revenue shortfalls. He discouraged counting on the federal and/or state government to come to the rescue because they are broke too. The solution to some of these problems is to re-establish revenue streams. Poverty kills too. Treasurer Nolette asked about cuts to state aid and if he knows about CHIPs funding. Mr. Stec reached out to DOT a week ago and hasn't heard anything new. Today is when the State Budget Director is supposed to announce cuts to the state budget. When the budget was passed in April, it provided windows when the Budget Director can make cuts and the legislature has the opportunity to go back within ten days not to vote yes or no, but to submit their own plan to substitute. He doesn't see that happening. The schools were told to expect a 20-50% cut in state aid. Congresswoman Stefanik added that federal aid of \$9 billion has been approved for New York. She feels it is important that there is accountability at the state level that these federal funds go to education, law enforcement, emergency services. The Treasurer also added that if funds are set aside by the federal government for counties, he would like the funds to flow directly to the counties. Mr. Campbell asked about the funds for hospitals. Assemblyman Stec stated there was a provision in the state budget to take the funds for hospitals out of the county's sales tax. Chairman Hall thanked Congresswoman Stefanik and Assemblyman Stec for addressing the Board today.

Discussion on Resolution No. 45. Mr. Skellie asked whether a decision was made on whether the beaches would be fenced off or signs placed saying swim at your own risk and asked the County Attorney about the potential liability. Roger Wickes stated he has heard the state will issue a swim at your own risk policy but hasn't seen any guidance on this yet. Operating a beach is more than just lifeguards, there is water testing and other items. This resolution states that we will fence off the beach. He would be ok with swim at your own risk once more guidance is given and we talk to NYMIR, which we haven't done. He feels fencing off the beach is the best way to go and would prefer we close the gates at night. Mr. Rozell feels it is too early to modify the park operations. Mr. Ferguson also feels it is premature to close the parks. Mr. Shaw asked if we will be able to staff the parks. Chris DeBolt stated that Matt had the staff lined up in mid-March, however these people may not be available now. It would be very difficult to enforce social distancing at the parks. A motion to table Resolution No. 145, moved by Mr. Skellie, seconded by Supervisors Griffith, Ward, Wilson, Fedler, Rozell, Campbell. Mr. Haff asked what does it mean if this is tabled? Chris stated that if the Board doesn't pass this resolution, it would be operations as normal, which means opening on weekends starting Memorial Day weekend. Mr. Haff stated if we start staffing the parks Memorial Day weekend, we will never re-close them. There is a \$90,000 savings and is against tabling this resolution. Mr. Campbell thinks we could just go with the swim at your own risk which would save the money and also open the parks. A motion to table Resolution No. 145, moved by Mr. Skellie, seconded by Supervisors Griffith, Ward, Wilson, Fedler, Rozell, Campbell and adopted by the following roll call vote:

AYES: 14 Henke, Fedler, Ferguson, Shaw, Hall, Losaw, Ward, O'Brien, Campbell, Skellie, Hogan, Wilson, Clary, Rozell

NOES: 3 Hicks, Haff, Griffith

AYES: 3,376 NOES: 884

Resolution No. 146, moved by Mr. Shaw, seconded by Supervisors Henke, Fedler, Losaw, Ward, Clary, Griffith, Rozell and adopted.

Resolution No. 147, moved by Mr. Shaw, seconded by Supervisors Henke, Fedler, Ferguson, Clary, Rozell and adopted.

Resolution No. 148, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Losaw, Campbell, Wilson and adopted.

Resolution No. 149, moved by Mr. Shaw, seconded by Supervisors Henke, Fedler, Ferguson, Losaw, Campbell, Skellie, Rozell and adopted.

Resolution No. 150, moved by Mr. Shaw, seconded by Supervisors Fedler, O'Brien, Campbell, Wilson and adopted.

Resolution No. 151, moved by Mr. Shaw, seconded by Supervisors Henke, Ferguson, Losaw, Campbell, Clary, Rozell and adopted.

Resolution No. 152, moved by Mr. Shaw, seconded by Supervisors Fedler, Ferguson, Ward, O'Brien, Campbell, Wilson, Clary, Rozell and adopted by the following roll call vote:

AYES: 17 Henke, Fedler, Ferguson, Shaw, Hall, Losaw, Hicks, Ward, O'Brien, Haff, Campbell, Skellie, Hogan, Wilson, Clary, Griffith, Rozell

AYES: 4,260

Resolution No. 153, moved by Mr. Shaw, seconded by Supervisors Henke, Fedler, Ferguson, Losaw, Ward, Campbell, Skellie, Wilson, Griffith and adopted by the following roll call vote:

AYES: 17 Henke, Fedler, Ferguson, Shaw, Hall, Losaw, Hicks, Ward, O'Brien, Haff, Campbell, Skellie, Hogan, Wilson, Clary, Griffith, Rozell

AYES: 4,260

Resolution No. 154, moved by Mr. Shaw, seconded by Supervisors Henke, Losaw, Haff, Campbell, Rozell. Discussion. A motion to amend Resolution No. 154 to stop the hazard pay effective noon today, moved by Mr. Haff, seconded by Mr. Griffith. Discussion on the amendment. Mrs. Clary stated that Public Health should continue to get hazard pay. Mrs. Fedler asked if this can be done. The Treasurer stated that it could be done but would require a lot of manual work. He added that it would be easier if it was at the close of business but whatever the Board decides can be done. Mr. Ward stated that seeing we limited the 911 dispatchers from their outside jobs, it would be unfair to take away the hazard pay. Mr. Haff stated Dispatchers secondary employment should not be a concern of the county. Chairman Hall

stated that Public Health has worked seven days a week at 7 – 10 hour days, non-clinical staff has been cross trained in pandemic response, triage, documentation of isolation and quarantine protocols. This is a crisis and they have risen to the occasion. He feels the additional pay is warranted. Mr. Haff stated that a lot of taxpayers are pushing back on the hazard pay. The Treasurer stated \$612,487 spent for overtime as of Wednesday, \$1,553,450 budgeted for overtime in 2020. This is discussion on changing the effective date. There is nothing on the table about who this applies to, which would take a separate amendment. Mr. Wilson is ok with keeping this resolution as written. Mr. Haff offered to amend the amendment to the close of business today and further amended to midnight today and Mr. Griffith agreed on the second. Mr. Henke added that DSS gets reimbursed for time and a half. A motion to amend Resolution No. 154 to stop the hazard pay effective noon today as amended to the close of business today as amended to midnight today, moved by Mr. Haff, seconded by Mr. Griffith and defeated by the following roll call vote:

AYES: 4 Hicks, Haff, Skellie, Griffith

NOES: 13 Henke, Fedler, Ferguson, Shaw, Hall, Losaw, Ward, O'Brien, Campbell, Hogan, Wilson, Clary, Rozell

AYES: 1,164 NOES: 3,096

A motion to amend Resolution No. 154 to exclude Public Health and Dispatchers (allow them to get hazard pay) and review every two weeks, moved by Mrs. Fedler, seconded by Supervisors Ferguson, Losaw, Ward, Clary. Discussion. Mr. Campbell stated that we have to be as fair as we can to the employees and the taxpayers, adding all overtime pay should stop now. If they are working extra hours, they will still get overtime. He added that we may need the funds for more important purposes later in the year. Mr. Hicks asked what the metric is for when we stop the overtime. He is concerned that we will have no control of when that will be. Mr. Shaw stated that Saratoga County opted into the overtime policy that we are using and then immediately opted out and that Warren County never instituted hazard pay. He asked if we are the anomaly paying overtime? The Chairman stated we are but we are responsible for the safety and welfare of the people of Washington County. Mrs. Clary asked if there has been any change regarding the hazard pay being reimbursed by FEMA. Chris DeBolt stated that Congresswoman Stefanik is trying to advocate that for us. Mr. Skellie praised the outstanding job Public Health has done but feels that everyone should be treated the same. Treasurer Nolette updated the Board that the overtime spent as of Wednesday after adjusting for DSS state aid reimbursement is \$551,440. Mr. Losaw stated that no matter what we do, we can't be fair to everyone. A motion to amend Resolution No. 154 to exclude Public Health and Dispatchers (allow them to continue to get hazard pay) and review every two weeks, moved by Mrs. Fedler, seconded by Supervisors Ferguson, Losaw, Ward, Clary and defeated by the following roll call vote:

AYES: 7 Henke, Fedler, Ferguson, Hall, Ward, Clary, Rozell

NOES: 10 Shaw, Losaw, Hicks, O'Brien, Haff, Campbell, Skellie, Hogan, Wilson, Griffith

AYES: 1,593 NOES: 2,667

Resolution No. 154, moved by Mr. Shaw, seconded by Supervisors Henke, Losaw, Haff, Campbell, Rozell and adopted by the following roll call vote:

AYES: 16 Henke, Fedler, Ferguson, Shaw, Losaw, Hicks, Ward, O'Brien, Haff, Campbell, Skellie, Hogan, Wilson, Clary, Griffith, Rozell

NOES: 1 Hall

AYES: 3,987 NOES: 273

Resolution No. 155, moved by Mr. Campbell, seconded by Supervisors Fedler, Ferguson, Losaw, Wilson, Griffith, Rozell, Clary. Discussion. Mr. Shaw asked why this policy is needed. Chris DeBolt stated that the state has an executive order that requires that masks be worn in public and we, as the employer, have to take steps to keep our workforce and the public safe and compliant. Mr. Shaw stated that the World Health Organization, CDC and Surgeon General have stated if you do not properly use a mask, it is worse to wear a mask than not wear a mask. Tim Hardy stated that the guidance recommends that masks be washed daily. Resolution No. 155, moved by Mr. Campbell, seconded by Supervisors Fedler, Ferguson, Losaw, Wilson, Griffith, Rozell, Clary and adopted. Mr. Shaw opposed.

Chairman Hall asked for Supervisors' comments. Chairman Hall stated that the Veteran's Home in Saratoga is holding a food drive on May 23rd. Our Veterans department will be participating. They are asking to use our logo for the event. No objections were expressed. Mr. Hicks stated that it appears that the parks will open Memorial Day and asked if the staff will be trained, will the people who visit the parks be required to wear masks, will the staff have to enforce the wearing of the masks and who will be sanitizing the rest rooms. He expects a policy to be presented prior to Memorial Day. Mr. Henke stated that the state webpage for reopening is forwardny.gov. Mr. Campbell stated the Government Operations Committee should meet to iron out these details prior to opening the parks. Mr. Wilson thanked the Supervisors for the candid discussion today. He also announced that the death of one of Putnam's town council members. Mr. O'Brien announced that the Regional Planning Board has established a COVID loan fund. Mr. Hogan recognized the recent passing of Michael Keenan, who served more than a decade as Kingsbury Justice. Chairman Hall thanked the Supervisors for their devotion to their position during this pandemic.

The meeting adjourned at 12:16 PM

Sandy Huffer, Deputy Clerk