

SUPPORT SERVICES COMMITTEE
COUNTY ATTORNEY AGENDA
NOVEMBER 27, 2017

Committee Members: Supervisors Vanselow, Frasier, McDevitt, Brock, Seeber, Montesi, Leggett, MacDonald and Hyde

- I. Committee meeting called to order by Chairman
- II. Motion to approve the minutes of the prior meeting
- III. Action Agenda/New Business Items:
 - 1.) Resolution Request to award Bid 63-17 to the lone bidder for Various Mailing Services in Connection with the Warren County Foreclosure Action
 - 2.) Resolution Request to enter into a contract with Bartlett, Pontiff, Stewart & Rhodes, P.C. for Legal Services for Labor matters and consulting services
 - 3.) Resolution Request to enter into a contract with John W. Gahan, Jr., for former Westmount Medicaid billing
 - 4.) Resolution Request to Fill First Assistant County Attorney
 - 5.) Resolution Request to Fill Second Assistant County Attorney
 - 6.) Resolution Request to extend contract term for special counsel to the Board of Supervisors
 - 7.) Resolution Request to Transfer Funds
- IV. Referrals/Pending Items:
None.
- V. Discussion Items:
None.
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VII. Motion to adjourn

Attachments:

- Form 3 – Request for New Contract (3)
- Form 12 – Notice of Intent to Fill Vacant Position (2)
- Form 4 - Request for Extending Existing Contract
- Form 10 – Request to Transfer Funds

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: 1420 Law (County Attorney)

DATE: 11/27/2017

- (a) Is this a Result of a Bid or Request for Proposal? **WC 63-17**
- (b) Purpose of Contract: **Various Mailing Services in Connection with the Warren County Foreclosure Action**
- (c) Name of Contractor: **Mailings Made Easy, Inc.**
- (d) Address of Contractor: **80-82 Warren Street, PO Box 511, Glens Falls, NY 12801**
- (e) Contractor's Contact Person and Telephone Number: **Diane Wells, Ph: 518-743-0664, Fx: 518-793-6785**
- (f) Has or will the Contract be provided, if so, please attach: **No**
- (g) Commencement Date of Contract: **JANUARY 1, 2018**
- (h) Termination Date of Contract: **DECEMBER 21, 2018**
- (i) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount: A. 1420 424 Postage**

**Sample: A.1010 470 Legislative Board – Contract Sxx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations Sxx.xx**

*as listed in budget and LOGOS

SPECIFICATION NO: WC 63-17
ITEM: VARIOUS MAILING SERVICES IN CONNECTION WITH THE WARREN COUNTY
FORECLOSURE ACTION

DATE: TUESDAY, OCTOBER 24, 2017 TIME: 3:00 P.M. PLACE: HUMAN SERVICES BLDG

PROPOSAL

PROPOSAL OF: Mailings Made Easy, Inc
Company

TO: Julie A. Butler, Purchasing Agent
Warren County Human Services Building
1340 State Route 9
Lake George, NY 12845

The undersigned having carefully examined the site of work, being familiar with existing conditions, and having carefully examined the specifications covering the service of mail sorting and pick-up services, will provide all necessary machinery, tools, apparatus, labor and other means of service and do all the work and furnish all the materials called for by said contract, including optional pick-up of all mail at the site noted according to the specifications:

#1) SORTING:

Cost of sort per piece handled: \$ 0.10 /piece

#2) PICK-UP PRICE: as-needed basis - pickup at Warren County Municipal Center County Attorney's Office
transport from to Warren Co, MME, USPS same day, pickup 8-9:15 AM EST. \$ 40.00 /pickup

#3) POSTAGE RATE: Please attach to your proposal, a list of any and all rates, by size and/or weight of mail along with other services, complete with pricing. Warren County cannot accept prices after the bid opening.

All postage rates determined by weight of completed piece ^{and requested} ~~(ie certified)~~ services (ie certified - 2017 3.35 subject to change) + by current unit price postage. All current rates always apply. (See sample postal rates).

The aforementioned bid prices shall include all labor, equipment, overhead, profit, insurance, etc., to cover the finished work.

The Bidder understands that the owner reserves the right to reject any and/or all bids and waive any informalities in the bidding, and agrees to not withdraw his bid for a period of forty-five (45) calendar days after the scheduled closing time for receiving bids.

The Bidder agrees that his bid, if accepted, may be extended, according to these specifications written agreement of both parties.

The Bidder represents that the above charges are all charges for the services requested in specifications.

DATE: 10-18-2017 FEDERAL ID #: 161517973

NAME OF FIRM: Mailings Made Easy Inc

BUSINESS ADDRESS (PRINTED): 80-82 Warren St. PO Box 511 Glens Falls NY 12801

SIGNATURE OF BIDDER: Diane Wells

NAME OF BIDDER (PRINTED): Diane Wells

EMAIL ADDRESS OF BIDDER: mailingsmadeeasy@aol.com

TITLE: Office Supervisor TELEPHONE NO.: 518 7936785

FAX NO.: 518 7430664 E-MAIL: mailingsmadeeasy@aol.com

COMMENTS: _____

The attached Corporate Resolution, Bidder Certification and Iran Divestment Act Certification must be completed and signed and made a part of the Bid Proposal.

SPECIFICATION NO: WC 63-17
ITEM: VARIOUS MAILING SERVICES IN CONNECTION WITH THE WARREN COUNTY FORECLOSURE ACTION

DATE: TUESDAY, OCTOBER 24, 2017 TIME: 3:00 P.M. PLACE: HUMAN SERVICES BLDG

Previous References Apply

REFERENCE SHEET

New bidders must complete this form providing five (5) references of past performance. References must have had dealings with the bidder within the last 36 months. The County reserves the right to contact any or all of the references supplied for an evaluation of past performance in order to establish the responsibility of the bidder before the actual award of this bid and/or contract.

BIDDERS NAME: _____
REFERENCE NAME: _____
ADDRESS: _____
TELEPHONE: _____
CONTACT PERSON: _____

BIDDERS NAME: _____
REFERENCE NAME: _____
ADDRESS: _____
TELEPHONE: _____
CONTACT PERSON: _____

BIDDERS NAME: _____
REFERENCE NAME: _____
ADDRESS: _____
TELEPHONE: _____
CONTACT PERSON: _____

BIDDERS NAME: _____
REFERENCE NAME: _____
ADDRESS: _____
TELEPHONE: _____
CONTACT PERSON: _____

BIDDERS NAME: _____
REFERENCE NAME: _____
ADDRESS: _____
TELEPHONE: _____
CONTACT PERSON: _____

SPECIFICATION NO: WC 63-17
ITEM: VARIOUS MAILING SERVICES IN CONNECTION WITH THE WARREN COUNTY
FORECLOSURE ACTION

DATE: TUESDAY, OCTOBER 24, 2017 TIME: 3:00 P.M. PLACE: HUMAN SERVICES BLDG

CERTIFICATION

Non-Collusive Certification required of all bidders under Section 103-d of the General Municipal Law as amended by Chapter 675 of the Laws of 196, and further amended by Chapter 56 of the Laws of 2010, effective June 22, 2010.

- (a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies, as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
 - (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
 - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
 - (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- (a-1) Notwithstanding the foregoing, the statement of non-collusion may be submitted electronically in accordance with the provisions of subdivision one of section one hundred three of the General Municipal Law.
- (b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth, in detail, the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.
- (c) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on its behalf;
- (d) That attached hereto (if a corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signatory of this bid, or proposal, on behalf of the corporate bidder.

Individual Bidder

Co-Partnership

By _____
Partner

Mailings Made Easy, Inc
Corporation

By *Samela J. Orpel*
President

SPECIFICATION NO: WC 63-17
ITEM: VARIOUS MAILING SERVICES IN CONNECTION WITH THE WARREN COUNTY FORECLOSURE ACTION

DATE: TUESDAY, OCTOBER 24, 2017 TIME: 3:00 P.M. PLACE: HUMAN SERVICES BLDG

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

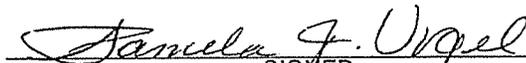
By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the County receive information that a Bidder/Contractor is in violation of the above-referenced certification, the County will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, Pamela J Vogel, being duly sworn, deposes and says that he/she is the President of the Maulings Made Easy, Inc Corporation and that neither the Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.


SIGNED

SWORN to before me this

19th day of October

201 7

Notary Public: Sueanne S. Linehan

SUEANNE S. LINEHAN
Notary Public State of New York
Qualified in Warren County
My Commission Expires 08-13-20 19
Reg. No. 01LI6172653

Addendum - # 3 Postage Rates (2017)
sample

First-Class Mail, First-Class Package Service—Retail

Retail—Single Piece

Letters (Stamped)¹

Weight Not Over (oz.)	
1	\$0.49
2	0.70
3	0.91
3.5 ³	1.12

Letters (Metered)¹

Weight Not Over (oz.)	
1	\$0.46
2	0.67
3	0.88
3.5 ⁴	1.09

Large Envelopes (Flats)²

Weight Not Over (oz.)	
1	\$0.98
2	1.19
3	1.40
4	1.61
5	1.82
6	2.03
7	2.24
8	2.45
9	2.66
10	2.87
11	3.08
12	3.29
13	3.50

First-Class Package Service—Retail

Weight Not Over (oz.)	
1	\$3.00
2	3.00
3	3.00
4	3.00
5	3.16
6	3.32
7	3.48
8	3.64
9	3.80
10	3.96
11	4.19
12	4.36
13	4.53

Postcard⁴	\$0.34
-----------------------------	--------

Keys and Identification Devices

Weight Not Over (oz.)	
1	3.50
2	3.50
3	3.50
4	3.50
5	3.68
6	3.86
7	4.04
8	4.22
9	4.40
10	4.58
11	4.76
12	4.94
13	5.12
1 pound	8.08 1 pound Priority Mail Retail Zone 4 postage plus 0.83
2 pounds	9.48 2 pounds Priority Mail Retail Zone 4 postage plus 0.83

EDDM—Retail

Flats up to 3.3 oz.	\$0.177
---------------------	---------

Semipostal Stamps

Breast Cancer Research, etc.	\$0.60
------------------------------	--------

1. Letters that meet one or more of the nonmachinable characteristics in DMM 101.1.2 are subject to the \$0.21 nonmachinable surcharge.
2. Large envelope-sized pieces that are rigid, nonrectangular, or not uniformly thick pay parcel prices.
3. The card price applies to each single or double postcard when originally mailed; reply half of double postcard must be designed for reply mail purposes only.
4. For weights over 3.5 ounces, see Large Envelopes prices.

See page 37 for size dimensions.

Addendum #3 Postage Rates (2017) sample.

Domestic—Extra Services and Fees

Adult Signature	Fee
Individual Pieces	
Adult Signature Required	\$5.90
Adult Signature Restricted Delivery	6.15

Certificate of Mailing	Fee
Individual Pieces	
Individual article (PS Form 3817)	\$1.35
Firm mailing sheets (PS Form 3665), per piece listed (minimum 3 pieces)	0.39
Additional copy of PS Form 3817 or PS Form 3665 (per page)	1.35
Additional copy of PS Form 3877, Firm Mailing Book for Accountable Mail (per page)	1.35
Bulk Quantities (Mailings)	Fee
For first 1,000 pieces (or fraction thereof)	\$7.95
Each additional 1,000 pieces (or fraction thereof)	0.99
Additional copy of PS Form 3606-D	1.35

Certified Mail	Fee
Per item, in addition to postage and other fees	
Certified Mail	\$3.35
Certified Mail Restricted Delivery	8.30
Certified Mail Adult Signature Required	8.30
Certified Mail Adult Signature Restricted Delivery	8.30

Collect on Delivery (COD)	Fee
Amount to be collected or insurance coverage desired, whichever is higher	
\$0.01 to \$50	\$7.15
50.01 to 100	8.95
100.01 to 200	10.70
200.01 to 300	12.45
300.01 to 400	14.20
400.01 to 500	15.95
500.01 to 600	17.70
600.01 to 700	19.45
700.01 to 800	21.20
800.01 to 900	22.95
900.01 to 1000	24.70
Additional COD Services	Fee
COD Restricted Delivery	\$4.95

Insurance	Fee ¹
Amount for Merchandise Insurance Coverage Desired	
\$0.01 to \$50	\$2.10
50.01 to 100	2.65
100.01 to 200	3.35
200.01 to 300	4.40
300.01 to 400	5.55
400.01 to 500	6.70
500.01 to 600	9.15
600.01 to 5,000 (maximum liability is \$5,000)	\$9.15 plus \$1.25 per \$100 or fraction thereof over \$600 in declared value

Additional Insurance Services	Fee
Insurance Restricted Delivery ²	\$4.95

1. Bulk Insurance discount \$0.80 per piece.
2. For articles insured for more than \$500.

Priority Mail Express Optional Delivery	Fee
10:30 AM delivery (where available)	\$5.00
Sunday/Holiday delivery	\$12.50

Return Receipt	Fee
(In conjunction with another extra service)	
Requested at time of mailing	(Hard copy PS Form 3811) \$2.75
	Electronic 1.45

Return Receipt for Merchandise	Fee
Requested at time of mailing	\$4.20

Signature Confirmation	Fee
First-Class Package Service—Retail	Electronic \$2.45 Retail 2.90
First-Class Package Service—Commercial	Electronic 2.45
Package Services (Library Mail, Media Mail, Bound Printed Matter)	Electronic 2.45 Retail 2.90
Parcel Select	Electronic 2.45
Priority Mail	Electronic 2.45 Retail 2.90
USPS Retail Ground	Electronic 2.45 Retail 2.90

Additional Signature Confirmation Services	Fee
Signature Confirmation Restricted Delivery	Electronic \$7.40 Retail 7.85

Addendum #3 Postage Rate
Proposed/Not Official Sample 2018

First-Class Mail and EDDM - Retail

Proposed

10/6/2017

First-Class Mail

LETTERS		FLATS	
Weight Not Over (ounces)		Weight Not Over (ounces)	
1	0.50	1	1.00
2	0.71	2	1.21
3	0.92	3	1.42
3.5	1.13	-	-
LETTERS - Metered		4	1.63
1	0.47	5	1.84
2	0.68	6	2.05
3	0.89	7	2.26
3.5	1.10	8	2.47
		9	2.68
		10	2.89
		11	3.10
		12	3.31
		13	3.52
Postcard	0.35		

Single-Piece Additional Ounce Rate (Letters/Flats) 0.21
 Nonmachinable Surcharge (Letters Only) 0.21

EDDM - Retail (USPS Marketing Mail Saturation Flats accepted at Retail) 0.178

MAILINGS MADE EASY, Inc.
80-82 Warren Street ~ PO Box 511 ~ Glens Falls, NY 12801
(518) 793-6785 (office) ~ mailingsmadeeasy@aol.com ~ (518) 743-0664 (fax)

To: Julie Butler, Warren County Purchasing Agent

From: Pamela J. Vogel, President/Owner
Mailings Made Easy, Inc
mailingsmadeeasy@aol.com



Date: October 18, 2017

Re: Bid for Mailing Services – Foreclosure Actions (WC 63-17)

.....

Please find enclosed WC 63-17 for Mailings Services – Warren County Foreclosure Actions which has a due date of not later than Tuesday, October 24, 2017 at 3 p.m.

Thank you for your consideration.

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: 1420 Law (County Attorney)

DATE: 11/27/2017

- (a) Is this a Result of a Bid or Request for Proposal? **No**
- (b) Purpose of Contract: **Legal Services for Labor matters and consulting services (see prior resolution 625 of 2015)**
- (c) Name of Contractor: **Bartlett, Pontiff, Stewart & Rhodes, P.C.**
- (d) Address of Contractor: **1 Washington Street, PO Box 2168, Glens Falls, NY 12801**
- (e) Contractor's Contact Person and Telephone Number: **J. Lawrence Paltrowitz 518-832-6443 Ph.; 518-824-1040 Fax**
- (f) Has or will the Contract be provided, if so, please attach: **Yes**
- (g) Commencement Date of Contract: **JANUARY 1, 2018**
- (h) Termination Date of Contract: **DECEMBER 21, 2020**
- (i) Payment Provisions:
 - i) lump sum amount **Per proposal at the flat rate of \$3750 per month plus disbursements**
 - ii) hourly rate amount **with additional costs of \$180/\$150/\$120 per hour for additional services outside scope of flat rate services**
 - iii) total amount not to exceed
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc. **monthly upon submission of invoice**
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount: A. 1420 440 Legal/Transcript Fees**

**Sample: A.1010 470 Legislative Board – Contract Sxx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations Sxx.xx**

*as listed in budget and LOGOS

PAUL E. PONTIFF
ALAN R. RHODES
ROBERT S. McMILLEN
PHILIP C. McINTIRE
MARK A. LEBOWITZ
J. LAWRENCE PALTROWITZ
MALCOLM B. O'HARA
PATRICIA E. WATKINS
MARK E. CERASANO
BRUCE O. LIPINSKI
PAULA NADEAU BERUBE
JONATHAN C. LAPPER
JAMES R. BURKETT
STEFANIE DiLALLO BITTER

BARTLETT, PONTIFF, STEWART & RHODES, P.C.
ATTORNEYS AT LAW
P.O. BOX 2168
ONE WASHINGTON STREET
GLENS FALLS, NEW YORK 12801-2168

TELEPHONE (518) 832-6443
FAX (518) 824-1040
EMAIL jjp@bpsrlaw.com
WEBSITE www.bpsrlaw.com

SERVICE BY FACSIMILE NOT ACCEPTED

KARLA WILLIAMS BUETTNER
ELISABETH B. MAHONEY
JOHN D. WRIGHT
JESSICA HUGABONE VINSON

BENJAMIN R. PRATT, JR.
OF COUNSEL

RICHARD J. BARTLETT
1926-2015
ROBERT S. STEWART
1932-2001
BERTRAM J. DUBE
1916-1999

November 15, 2017

Warren County
c/o Ron Conover
Chairman of the Board of Supervisors
1340 State Route 9
Lake George, New York 12845

Re: Legal Services for Labor Matters and Consultant Matters

Dear Chairman Conover:

I am pleased that Warren County would like to continue to retain our law firm to provide legal services in connection with labor matters and consultant matters. This engagement letter is intended to explain the scope of the services we have agreed to perform, the fees to be charged together with our billing practices, and the County's rights with regard to any disputed fees.

We are engaged to provide legal services to Warren County in connection with all labor matters and certain consultant matters. We have not been retained to advise Warren County in other matters or other areas of law, except for the ongoing collection matters for which we have entered into a separate engagement letter, and we will act only in connection with this matter in accordance with the terms contained herein unless otherwise instructed by you. I will be the primary attorney responsible for providing the services to Warren County.

For the basic services outlined herein, we would bill the sum of \$3,750 per month commencing January 1, 2018 and continuing through December 31, 2020 for the following legal services: 1) all labor relations matters, including any negotiations with any or all bargaining units, the handling of all grievances up to a demand for arbitration, all health insurance rate negotiations and health insurance plan design matters, any labor-related training, and any labor-related or health insurance advice, excluding any litigation or proceedings before an administrative agency, hearing officer, arbitrator, or the courts; and (2) consulting services regarding any ongoing issues relating to the sale of the Westmont health facility and issues relating to the general operations and legal

Warren County
c/o Ron Conover
Chairman of the Board of Supervisors

Page 2

matters of the Warren County attorney's office. Our firm will also bill for any costs or disbursements which we may incur on the County's behalf in connection with our representation. Our costs and disbursements may include mileage and travel related expenses, postage, long distance telephone calls, photocopying, and expert fees. For significant disbursements, we may require payment directly from the County to the vendor. Any fees or disbursements not paid within thirty (30) days of the billing date will be subject to a late charge of three quarters of one percent (0.75%) per month. However, in the event there were any matters involving litigation or proceedings before an administrative agency, hearing officer, arbitrator or the courts, our law firm would bill for such additional services at the rate of \$180 per hour for principal attorneys' time, \$150 per hour for associate attorneys' time, and \$120 per hour for paralegal time, or we would mutually agree on a separate flat fee for the particular matter at the time that it occurs.

While we seek to avoid any fee disputes with our clients, and rarely have such disputes, in the event such a dispute does arise, you are advised that Warren County has the right, at its election, to seek arbitration to resolve the fee dispute. In such event, we shall advise you in writing by certified mail that Warren County has 30 days from receipt of such notice in which to elect to resolve the dispute by arbitration, and we shall enclose a copy of the arbitration rules and a form for requesting arbitration. The decision resulting from arbitration is binding upon both Warren County and this firm.

Please sign on the appropriate line below and return one signed original to me.

We look forward to the opportunity to continue to represent Warren County.

Sincerely,

BARTLETT, PONTIFF, STEWART
& RHODES, P.C.

BY: 

J. Lawrence Paltrowitz

Direct Line: (518) 832-6443

Direct E-mail: jlp@bpsrlaw.com

I have read and understand the terms of the above letter, have received a copy and accept all of its terms.

Warren County

BY: _____

cc: Kevin Geraghty, County Administrator
Mary E. Kissane, Esq., Acting County Attorney

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: 1420 Law (County Attorney)

DATE: 11/27/2017

- (a) Is this a Result of a Bid or Request for Proposal? **No**
- (b) Purpose of Contract: **Consultant Services for matters relating to Medicaid Billing for the former Westmount Nursing Home**
- (c) Name of Contractor: **John W. Gahan, Jr.**
- (d) Address of Contractor: **124 Fisher Road, Schenectady, NY 12306.**
- (e) Contractor's Contact Person and Telephone Number: **John W. Gahan, Jr.,
Phone 518-506-4220**
- (f) Has or will the Contract be provided, if so, please attach: **No**
- (g) Commencement Date of Contract: **December 15, 2017**
- (h) Termination Date of Contract: **upon completion**
- (i) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount **\$150, plus travel and disbursements**
 - iii) total amount not to exceed **\$2500**
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc. **Net 30, upon submission of invoice**
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount: **A. 4530 470 Public Nursing Home - Contract****

Sample: A.1010 470 Legislative Board – Contract Sxx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations Sxx.xx

*as listed in budget and LOGOS

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. *For complete instructions on the procedure to be followed, see the reverse of this form.*

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Law (County Attorney) Payroll Dept. No: 1420

Title of Position: 1st Assistant County Attorney Base Salary of Position: \$71,494 Grade: _____

Filling at Step # (If Known): _____

Budget code and title: A.1420 110 Law Salaries - Regular Union Non-Union

This position is vacated due to: Retirement Resignation Termination Promotion Other

Employee No./Last Name: _____ Date of Vacancy: 11/17/2017

Is this position mandated? Yes No Is the position reimbursable? Yes No

Source of reimbursement: Federal _____% State _____% Other _____%

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring. _____

Human Resources Director has approved this form when initialed. _____

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.

The Administrator objects to the filling of the vacancy.

Administrator Signature _____ Date _____

BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.

The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature _____ Date _____

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee _____

The committee has no objection to the filling of the vacancy.

The committee objects to the filling of the vacancy.

In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.

In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature _____ Date _____

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

AUTHORITY FOR POLICY AND PROCEDURE

Resolution 155 of 2003, amended by Resolution Nos. 497 of 2006, 719 of 2006, 318 of 2007, 374 of 2011 and 259 of 2014, provides the policy and procedure for the establishment, filling and increasing or decreasing of salaries for positions within Warren County. Copies of the resolutions are available from the Clerk of the Board.

WHAT FORM TO USE

- For giving notice of intent to fill an existing vacant position, use this form.
- For creating a new position, complete Resolution Request Form No. 11.
- For increasing or decreasing salary of non-union position, complete Resolution Request Form No. 13.
- For reclassification of position, complete Resolution Request Form No. 14.

These forms are available from the Clerk of the Board.

HOW TO USE THIS FORM

Department heads must first file this notice of intent with the Human Resources Director/Personnel Officer for review and approval of position details. Once the form has been initialed by both the Human Resources Director and Personnel Officer, it should be forwarded on to the County Administrator for approval. The County Administrator shall furnish a copy of the notice to the Budget Officer. Once both the County Administrator and the Budget Officer have executed the form, a copy must be submitted by the Department Head to the Supervisory Committee with their regular agenda. Once signed by the Chair of the Supervisory Committee, the Notice of Intent shall be submitted to the Clerk of the Board, who shall report the action on the Personnel Committee agenda and forward the fully executed form to the Department Head.

OBJECTIONS

If either the County Administrator, Budget Officer or Supervisory Committee objects to the position being filled, each should affix their signature to this form indicating they have an objection. In this case, the department head is advised that the position may not be filled unless otherwise determined by the Board of Supervisors. All requests to fill vacant positions must be approved by the County Administrator, Budget Officer and a 2/3 majority vote of the Supervisory Committee or oversight Committee Chair approval as provided in the Rules of the Board.

NO OBJECTIONS

If the County Administrator, Budget Officer and Supervisory Committee have no objection to the position being filled, each should affix their signatures to this form indicating they have no objection.

PAPERWORK

To fill the position, complete the 426 Report of Personnel Change, attach the original of this form to the back of the 426, along with the Resolution approving same and submit to the Human Resources and Civil Service Department. Be certain to make a copy of both the 426 and this form for retention in your department files.

Department Heads are reminded that an oath of office must be filed in the Office of the County Clerk. Oaths of Office forms are available from the County Clerk.

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. *For complete instructions on the procedure to be followed, see the reverse of this form.*

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Law (County Attorney) Payroll Dept. No: 1420

Title of Position: 2nd Assistant County Attorney Base Salary of Position: \$50,000 Grade: _____

Filling at Step # (If Known): _____

Budget code and title: A.1420 110 Law Salaries - Regular Union Non-Union

This position is vacated due to: Retirement Resignation Termination Promotion Other

Employee No./Last Name: _____ Date of Vacancy: 12/1/2017

Is this position mandated? Yes No Is the position reimbursable? Yes No

Source of reimbursement: Federal _____% State _____% Other _____%

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring. _____

Human Resources Director has approved this form when initialed. _____

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.

The Administrator objects to the filling of the vacancy.

Administrator Signature _____ Date _____

BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.

The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature _____ Date _____

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee _____

The committee has no objection to the filling of the vacancy.

The committee objects to the filling of the vacancy.

In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.

In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature _____ Date _____

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

AUTHORITY FOR POLICY AND PROCEDURE

Resolution 155 of 2003, amended by Resolution Nos. 497 of 2006, 719 of 2006, 318 of 2007, 374 of 2011 and 259 of 2014, provides the policy and procedure for the establishment, filling and increasing or decreasing of salaries for positions within Warren County. Copies of the resolutions are available from the Clerk of the Board.

WHAT FORM TO USE

- For giving notice of intent to fill an existing vacant position, use this form.
- For creating a new position, complete Resolution Request Form No. 11.
- For increasing or decreasing salary of non-union position, complete Resolution Request Form No. 13.
- For reclassification of position, complete Resolution Request Form No. 14.

These forms are available from the Clerk of the Board.

HOW TO USE THIS FORM

Department heads must first file this notice of intent with the Human Resources Director/Personnel Officer for review and approval of position details. Once the form has been initialed by both the Human Resources Director and Personnel Officer, it should be forwarded on to the County Administrator for approval. The County Administrator shall furnish a copy of the notice to the Budget Officer. Once both the County Administrator and the Budget Officer have executed the form, a copy must be submitted by the Department Head to the Supervisory Committee with their regular agenda. Once signed by the Chair of the Supervisory Committee, the Notice of Intent shall be submitted to the Clerk of the Board, who shall report the action on the Personnel Committee agenda and forward the fully executed form to the Department Head.

OBJECTIONS

If either the County Administrator, Budget Officer or Supervisory Committee objects to the position being filled, each should affix their signature to this form indicating they have an objection. In this case, the department head is advised that the position may not be filled unless otherwise determined by the Board of Supervisors. All requests to fill vacant positions must be approved by the County Administrator, Budget Officer and a 2/3 majority vote of the Supervisory Committee or oversight Committee Chair approval as provided in the Rules of the Board.

NO OBJECTIONS

If the County Administrator, Budget Officer and Supervisory Committee have no objection to the position being filled, each should affix their signatures to this form indicating they have no objection.

PAPERWORK

To fill the position, complete the 426 Report of Personnel Change, attach the original of this form to the back of the 426, along with the Resolution approving same and submit to the Human Resources and Civil Service Department. Be certain to make a copy of both the 426 and this form for retention in your department files.

Department Heads are reminded that an oath of office must be filed in the Office of the County Clerk. Oaths of Office forms are available from the County Clerk.

RESOLUTION REQUEST FORM NO. 4

Request for Extending, Rescinding or Amending Existing Contract

DEPARTMENT NAME: Law Department (County Attorney)

DATE: 11/27/17

- (a) Purpose of Contract Change: **To Extend Termination Date**
- (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract: **413 of 2017**
- (c) Name of Contractor: **Brian S. Reichenbach**
- (d) Address of Contractor: **PO Box, Lake George, NY 12845**
- (e) Contractor's Contact Person and Telephone Number: **518-761-6463**
- (f) Commencement Date of Extension: **12/01/2017**
- (g) Termination Date of Extension:
- (h) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount **\$185**
 - iii) total amount not to exceed
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc. **bi-weekly, upon submission of invoice**)
- (i) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, and Title, and Amount: A.1420 440 General.Law (County Attorney) Legal/Transcript Fees**

**Sample: A.1010 470 Legislative Board – Contract Sxx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations Sxx.xx**

*as listed in budget and LOGOS

RESOLUTION REQUEST FORM NO. 10

Request for Transfer of Funds

TO: AMANDA ALLEN, CLERK, WARREN COUNTY BOARD OF SUPERVISORS

DEPARTMENT NAME: 1420 Law (County Attorney)

SIGNED:

DATE: 11/27/2017

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.1420 110	Salaries - Regular	A.1420 440	Legal/Transcript Fees	\$13,320

Please state reason for transfers requested:

Resignation of salaried employee leaves a surplus in Salaries and Committee authorized a contract with independent outside counsel.

CONTINGENT FUND TRANSFER REQUESTS

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.1990 469	Contingent Account- Other Payments/Contributions			

Please state reason for transfer request:

Please file original request with Clerk of the Board and retain copy for your records.