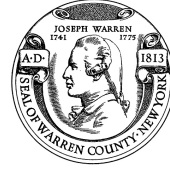


Warren County Board of Supervisors

AGENDA
FRIDAY JUNE 15, 2018
BOARD MEETING
REVISED



10:00 a.m. Call Meeting to Order

Pledge of Allegiance - Supervisor Dickinson

Roll Call

Motion to approve minutes of May 15, 2018 Board Meeting, subject to correction by the Clerk

Presentation of certificates to winners of Tars Wars Tobacco Prevention Program and Poster Contest

Report by Chairman of the Board

Reports by Committee Chairmen on Past Month Meetings or Activities

Report by County Administrator

Report by County Attorney

Reading of Communications

Reading of Resolutions

Discussion and Public Comment on Proposed Resolutions

Vote on Resolutions

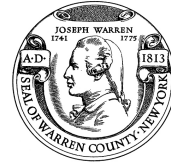
Privilege of the Floor

Announcements

Motion to Adjourn

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, JUNE 15, 2018**



The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:07 a.m.

Mr. Ronald F. Conover presiding.

Salute to the flag was led by Supervisor Dickinson.

Roll called, the following members present:

Supervisors Leggett, Diamond, Braymer, Loeb, Driscoll, Frasier, Simpson, Hogan, Dickinson, Strough, Wild, Beaty, Magowan, Sokol, Thomas, Hyde, Geraghty and Conover- 18; Supervisors McDevitt and Merlino absent- 2

Commencing the Agenda review, Chairman Conover noted a motion was necessary to approve the minutes of the June 15th Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Strough, seconded by Supervisor Beaty and carried unanimously.

Proceeding with the Agenda review, Chairman Conover extended privilege of the floor to Dan Durkee, *Senior Health Educator*, for the presentation of certificates to the winners of the 2018 Tar Wars Tobacco Free Education Program and Poster Contest for students in grades 4 and 5 of the participating schools in Warren County. Mr. Durkee made a Powerpoint presentation which displayed the winning posters and outlined the program objectives; *a copy of the Powerpoint presentation is on file with the items distributed at the Board Meeting*. Chairman Conover presented each winner with a certificate commending their efforts, following which a round of applause was given.

Moving along to the report by the Chairman of the Board, Chairman Conover reported that he had attended a SAVE (*Stop Aquatic Invasives from Entering*) meeting on May 31st and on June 1st he attended the joint meeting of the Personnel & Higher Education Committees at SUNY Adirondack, as well as a Senior Citizens Luncheon at the Holiday Inn Lake George later in the day where the Senior of the Year and Contributing Senior of the Year for Warren and Hamilton Counties were recognized. He stated he and Earl Mikoloski, *Operations Manager, Bolton EMS*, had met with the Warren County staff who were working on a County-wide plan for EMS, to review the Bolton EMS Budget. He apprised the County staff who were charged with working on the plan were meeting individually with each EMS operation in the County and reviewing their budgets, following which this information would be compiled in a spreadsheet to assist with creating the financial planning portion of the plan. Chairman Conover informed he had attended a meeting on June 5th at the Fund for Lake George with representatives from Skaneateles Lake to discuss the HABs (*Harmful Algae Blooms*) Program. He explained within this round of CFA (*Consolidated Funding Application*) funding an award was made in the amount of \$65 million to aggressively combat HABs in twelve lakes that were essential to tourism in Upstate New York. He stated currently Lake George was the only lake participating that did not have any HABs present; therefore, he apprised, there could be things that were being done on Lake George that could prove to be useful for other watersheds. Chairman Conover reported he on his meeting with Dave Wick, *Executive Director, Lake George Park Commission*, and Walter Lender, *Executive Director, Lake George Association*, on June 7th wherein the topic of discussion concerned possible grant applications

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, JUNE 15, 2018

submitted under the CFA Program and what the priorities were. He advised he had attended the meeting of the Lake Champlain-Lake George Regional Planning Board on June 12th along with all six representatives from Warren County, as well as six other Supervisors from the County. He apprised David O'Brien, *representing the Washington County Board of Supervisors*, was appointed as the new Chairman and a Governance Committee was established with a representative from each member County to review and amend the by-laws to ensure they were up to date and in compliance with procedures and State laws. He thanked Supervisor Strough for volunteering to represent the County on the Governance Committee. He mentioned the Loan Program was frozen to allow them time to conduct their review and ensure the appropriate procedures were in place. He added he felt the audit that would be conducted by the State Comptrollers Office on the Loan Program was prudent, as well.

Chairman Conover then called for the reports by Committee Chairmen on the past months meetings or activities.

Supervisor Dickinson indicated he had nothing to report on.

Supervisor Strough apprised the Legislative & Rules Committee had met on May 31st, approving proposed Resolution Nos. 243-245 and he provided a brief summary of each. He informed the Committee held off on taking action on the resolution concerning a ban on single use plastic bags in Warren County as proposed by Supervisor Braymer to allow her to make further revisions to her proposed legislation for review at a future Committee meeting.

Supervisor Wild indicated he had nothing to report on.

Supervisor Beaty advised although the Shared Services Committee did not meet he had met with Julie Butler, *Purchasing Agent*, on numerous occasions to discuss how to attract the Fire Districts within the County who were eligible to participate on the County's shared services plan which would result in significant savings. In regards to the negotiating team for the for the FBO (*Fixed Based Operator*) contract at the Airport which consisted of himself and Supervisors Sokol and McDevitt, Supervisor Beaty informed they had met three times and they planned on presenting their conclusion at the next County Facilities Committee meeting. He concluded by stating he was fully in support of proposed Resolution No. 245, *Supporting Governor Cuomo's Program Bill to Amend the Environmental Conservation Law in Relation to Prohibiting Plastic Carry out Bags*, as he believed the 1.2 trillion bags that were floating in the oceans was excessive and it was time to not only take action locally, but also on a State-wide and Federal level.

Supervisor Magowan indicated he had nothing to report on.

Supervisor Sokol reported on the May 31st meeting of the Finance Committee wherein proposed Resolution Nos. 228-229 and 257-260 were approved and he provided a brief summary of each. He apprised a joint meeting of the Personnel & Higher Education and Finance Committees was held on June 1st at SUNY Adirondack wherein proposed Resolution No. 261 was approved. He commented on how much the College campus had changed over the years, noting he was impressed with the Northwest Bay Conference Center and its flexibility to be able to divide the room in half or quarters giving the College the opportunity to bring in multiple groups at the same time thereby increasing their revenue stream. In conclusion he offered privilege of the floor to Mike Swan, *County Treasurer*, to provide the monthly update regarding the County finances.

Mr. Swan apprised they had closed the books for 2017 on time and the proper paperwork was filed with the State; he said he was pleased to report the balance of the Unappropriated Surplus Fund as of December 31, 2017 was approximately \$19 million. He informed funds that were not used on a regular

basis had been taken out of the Unappropriated Surplus Fund to purchase some CD's (*Certificate of Deposit*) from local banks in an effort to generate additional revenue from the 2% interest they paid. He advised the Personnel & Higher Education and Finance Committees both approved his request to create and fill the position of Accounting Technician, *Grade 19, Annual Salary \$46,318*, effective June 18, 2018. He stated he had worked with the Personnel Officer to create a title, grade and basic job description for the position. He informed the positions duties would be split between working on occupancy tax and health insurance; however, he noted, the majority of the positions workload would relate to occupancy tax. He apprised following the criticism by the State auditors a few years ago for not having a proper enforcement policy in place for occupancy tax, as well as for not conducting enough audits on the local hotels they had attempted to conduct more audits but were only able to complete two in two years rather than the twenty per year that should have done. He added he believed additional occupancy tax revenue would be generated from the audits that would be conducted by the individual in this position. He mentioned the source of funding recommended by the Finance Committee to pay for position was the Occupancy Tax Fund. Mr. Swan apprised he had met with the County Attorney's Office last week to discuss commencing with what he considered to be an appropriate enforcement policy plan for occupancy tax which would allow them to move forward with action against those who were required to pay the tax, but were not. He said although he could not go into specifics, he was aware that the pool of those not paying continued to grow. He added as a result of the County switching to being self-insured, rather than receiving a monthly bill from the insurance carrier they received one that involved this position would reconcile health insurance claims to ensure the County was paying the correct amount and that the right people were on that list.

Supervisor Diamond questioned whether the County had exceeded the revenue expectations from last year and Mr. Swan replied in the affirmative. He added due to the diligence of the County Department Heads, about \$1 million that was included in the 2017 County Budget had not been expended resulting in a surplus.

Supervisor Beaty inquired when the multi-year plan which provided predictions for future years regarding the financial outlook for the County would be available for review, as he would like it to be made available much sooner than last year when it was presented on the day of the Special Board Meeting where they were required to vote on the proposed budget for the following year. Supervisor Thomas interjected that what Supervisor Beaty had just stated was incorrect; he clarified that the multi-year plan had been presented to the Budget Committee on August 15, 2017. Supervisor Beaty asked whether it could be made available any earlier this year and Mr. Swan replied he wanted to clarify to ensure everyone was aware that the preparation of the multi-year plan was not handled by his office so he was unable to provide an estimate of when the plan would be made available for review. He added that the County Administrators Office was charged with preparing the plan; however, he noted, his office did work closely with them on this.

Chairman Conover announced for the record that the Treasurers Office did a stellar job on the administration of occupancy tax funds, all while receiving only a small percentage for this work. Mr. Swan apprised most Counties collected a 10% administrative fee from the occupancy tax collections; however, he noted, his office only collected 3%. Supervisor Braymer inquired whether this fee would be changing as a result of the new position and Mr. Swan replied in the negative. He explained the administrative fee could only be changed through resolution and this was something that may need to be addressed next year. Chairman Conover advised the consensus of the Occupancy Tax Coordination Committee had been that the amount of occupancy tax would more than likely increase as a result of the enforcement efforts of this position, but they would have to wait until next year to have a better idea.

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, JUNE 15, 2018

Supervisor Dickinson questioned when the amount of occupancy tax generated from this years Americade event would be available and Mr. Swan responded these figures would not be available until the end of August or in early September.

Concluding his report, Supervisor Sokol remarked he had the honor and privilege of working with JoAnn McKinstry for many years during which she had provided him with a tremendous amount of support on matters pertaining to the Finance Committee and he wished her well in her retirement. A round of applause was given.

Supervisor Thomas informed sales tax revenue was up 2.9% which equated to slightly more than \$500,000. He remarked he hoped this trend would continue through the remainder of the year, as this was the highest it had been in many years. He acknowledged Ms. McKinstry for the assistance she had provided him during his tenure as the Budget Officer with the preparation of the County Budget, apprising he would not have been able to do this work without her. He concluded by wishing her all the best in retirement.

Supervisor Hyde indicated she had nothing to report on.

Supervisor Geraghty advised the Personnel & Higher Education Committee approved proposed Resolution Nos. 249-256. He stated he would also like to wish Ms. McKinstry well in her retirement, informing he had worked closely with her over the past several years, first when he served as the Budget Office, then when he was the Chairman of the Board and finally during his tenure as the Acting County Administrator.

Supervisor Leggett stated the Criminal Justice & Public Safety Committee had met on May 22nd, approving proposed Resolution Nos. 231-233; he mentioned proposed Resolution No. 233 would be amended from the floor at the appropriate time.

Supervisor Diamond indicated he had nothing to report on

Supervisor Braymer apprised that she was fully supportive of proposed Resolution No. 245, *Supporting Governor Cuomo's Program Bill to Amend the Environmental Conservation Law in Relation to Prohibiting Plastic Carry out Bags*, and she hoped others would be, as well. She stated she was continuing to work with the County Administrator and others to finalize the language on her proposed resolution which would enact a local law banning single use plastic bags in Warren County so that the County could take action on the matter and she hoped everyone would support this action, as well. Supervisor Braymer apprised Daniel Hall, *Mayor, City of Glens Falls*, had provided each of the Supervisors with a container of Just Water which was bottled with paper in their facility in the City of Glens Falls, with the water coming from the Town of Queensbury and packaged in a paper container. She said all of the money generated from this facility was being put back into the City of Glens Falls and she asked that they all support local County businesses including Just Water.

Supervisor Loeb stated the Support Services Committee had met on May 22nd, approving proposed Resolution Nos. 246-248 and he provided a brief summary of each. He apprised that Mrs. Butler was working hard to get everyone on board to participate in the shared purchasing program to save more money. He acknowledged Supervisor Beaty and the Shared Services Committee for their efforts, pointing out that through proposed Resolution No. 246, *Authorizing Intermunicipal Agreements Between Warren County and Participating Municipalities in Warren County to Utilize the Anti-Virus Account Currently Administered by Warren County Information Technology*, Mr. Colvin was extending an offer to the municipalities in Warren County to utilize the County's anti-virus account in an effort

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, JUNE 15, 2018

to save money. Supervisor Beaty added that Mike Colvin, *Director, Information Technology*, had also done a stellar job assisting the City of Glens Falls with some information technology issues they were having.

Supervisor Driscoll informed he had no Committee report, but wanted to note that he had participated in a webinar hosted by NYSAC (*New York State Association of Counties*) pertaining to single use plastic bags this past Tuesday that he hoped would be made available to those who had been unable to attend. He remarked information and education assisted them with making informative decisions down the road.

Supervisor Frasier reported on the May 23rd meeting of the Health, Human & Social Services Committee wherein proposed Resolution Nos. 235-242 were approved and she provided a brief summary of each. She informed she had attended a symposium at the Georgian Lakeside Resort on the sexual exploitation of children which she found to be very informative.

Supervisor Simpson reported on the May 21st meeting of the Public Works Committee wherein Justin Gonyo, *General Superintendent, Saratoga & North Creek Railway*, provided an update on SNCR's progress with ceasing operations. He said this lead into a lengthy discussion pertaining to securing the safety of the corridor and addressing a number of safety issues that required attention due to the lack of an operation on the railroad. With regard to the snowmobile use of the corridor, Supervisor Simpson stated they continued to work on this to ensure this opportunity was made available this winter. Supervisor Simpson referred to proposed Floor Resolution No. 2, *Terminating Agreement with Saratoga and North Creek Railroad, LLC as the Railroad Operator*, which was distributed with the resolution packet, remarking this was a result of the lack of response to the letters the County Attorney had distributed to Iowa Pacific Holdings which notified them on January 19th of deficiencies in the contract and again on January 26th requesting a place to cure or remedy these defaults. Chairman Conover apprised the proposed Floor Resolution would be brought to the floor during the reading of resolutions. Supervisor Simpson advised he had attended the Warren and Washington Counties Industrial Development Agency and Civic Development Corporation on meeting May 21st during which they approved a new project and the public hearing was scheduled for Monday morning at the Town of Queensbury Supervisors Room. He said they had also discussed the possibility of adding a marketing representative who would assist them with marketing and selling the Industrial Park lots; he apprised a formal resolution would be brought forward on Monday night concerning such. He announced Al Nolette, *Washington County Treasurer*, had been appointed as the new CFO/CEO (*Chief Financial Officer/Chief Executive Officer*) of the organization. He advised the general review of their organization by the Authorities Budget Office had commenced on Wednesday. He welcomed Nicholas Caimano, *Warren County Resident*, as a new member of their organization pending approval of his appointment today. He advised there was one vacancy remaining that they were trying to fill. Supervisor Simpson reported on the May 21st meeting of the Cornell Cooperative Extension wherein a presentation was given regarding the VITA (*Volunteer Income Tax Assistance*) Program which he found to be very informative. He said they would be touring the new greenhouse at the next meeting. He stated he was pleased to report that the Cornell Cooperative Extension of Warren County had received the Dorothea Dix Community Service Award from the Warren Washington Association for Mental Health. He added they had also been nominated for the non-profit business of the year by the Adirondack Regional Chamber of Commerce. He apprised Cornell Cooperative Extension had received 180 applications for the Skye Farm camp, of which they only had funding available to sponsor 80; however, he noted, a private citizen had made an anonymous donation to cover the cost of the for the remaining applicants to attend the camp.

Supervisor Hogan apprised she had no Committee report, but she would like to comment on proposed

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, JUNE 15, 2018

Resolution No. 245, *Supporting Governor Cuomo's Program Bill to Amend the Environmental Conservation Law in Relation to Prohibiting Plastic Carry out Bags*. She remarked she was fully supportive of the resolution; however, she noted, she would encourage Supervisors Braymer and Dickinson to continue to pursue local legislation. She said she was not a fan of "patch work" legislation and while she supported the Governors legislation she felt it was imperative that they had examples of how they had taken the lead to protect the environment in the region.

Continuing to the report by the County Administrator, Ryan Moore, *County Administrator*, apprised as had already been mentioned, next Friday was Ms. McKinstry's last day in her full-time position. He acknowledged that Ms. McKinstry met the significant milestone on June 1st of thirty years of employment with Warren County. He said he believed this reflected her dedication to all of the Board members, the residents and the employees of the County. He mentioned although he had only worked with Ms. McKinstry for the last two months, during this time she had demonstrated to him what a tremendous asset she was to the County. He apprised while he hated to lose her as an employee he was pleased to announce that Ms. McKinstry had agreed to come back and work two days per week to assist with training her successor subject to approval by the Board. He commented he was hopeful the Board would approve this and he thanked Ms. McKinstry for willingly offering her services. He acknowledged Ms. McKinstry on behalf of the Board, as well as the entire County for all that she had done and, he noted how everyone was appreciative of her hard work and dedication and wished her well in her retirement.

Moving along with his report, Mr. Moore advised he had attended the joint meeting of the Personnel & Higher Education and Finance Committees wherein the representatives of SUNY Adirondack presented the proposed 2018-2019 Operating Budget for the College, informing he had also had a meeting with representatives of the College to review the proposed Budget prior to the meeting. He mentioned State Aid was only increased by \$69,000 from what was awarded last year which was discouraging for the College and the total increase for Warren and Washington Counties was slightly less than \$69,000 of which Warren County was responsible for \$39,000. He informed the majority of the increase was raised through a 4% increase in tuition and fees which the students would have to bear. He commented he was pleased to see the College was making investments in its future through strategic planning which was imperative from the perspective of healthy enrollment, and in particular the enrollment the College had from other Counties due to its link to the aid the College receives for its capital projects which did take some pressure off of Warren and Washington Counties He mentioned he was pleased with the presentation, pointing out there was a resolution before them today pertaining to the Colleges 2018-2019 operating budget. Mr. Moore stated he had met with Susan Savage from the Department of State regarding the County's work to date on shared services and what the plan was going forward. With regard to his own efforts pertaining to the shared services initiative, Mr. Moore advised he served as part of the Shared Services Panel and was working on developing the mandated recording instrument that they had to use as a result of the State requiring a significant amount of financial calculations which had to be displayed in a specific manner. He recognized Lexie Delurey, *Director, Real Property Tax Services*, and her staff for their efforts to assist with the process through the gathering of tax levy information. He mentioned he had been meeting with the Department Heads to discuss some of the ideas that had been discussed at the Shared Services Panel meeting, some of which were being explored further in an attempt to determine what should be included in the final shared services plan. He added he would be meeting with Supervisor Beaty, who was the Chairman of the Shared Services Committee, to thoroughly review these ideas. He said it was his intention to have one more Panel meeting prior to the final meeting to vote on this plan, noting the deadline for completion was September 15th. He informed the State had specific requirements which required all of the participants who wanted to partake in each initiative they came up with to be listed, as well as a savings score which consisted of an estimate regarding how much each participants savings would

be. He advised he would do his best to keep them informed regarding all of what they felt were good proposals that would be included on the shared services plan. He mentioned three proposals pertaining to information technology were distributed to the participants last night for consideration.

With regards to the June 12th meeting of the Lake Champlain-Lake George Regional Planning Board, Mr. Moore stated due to the efforts of the five member Counties to gather information from the Planning Board and reconstitute them, they were able to manage the meeting as demonstrated by the fact that they had roll call votes on any action to ensure they were in accordance with State law. He remarked he found it refreshing that there was order where he sensed in the past there had not been order or attention to details. He informed as mentioned previously by Chairman Conover, Mr. O'Brien from Washington County had been appointed as the new Chairman of the organization; he apprised he believed he would do a great job since he had been engaged in the process since the beginning. He acknowledged the Board of Supervisors for being instrumental in getting this change underway, pointing out Chairman Conover was the one who made the motion to establish the Governance Committee that would review the bylaws and loan procedures to eradicate the issues, as well as the motion to freeze the Loan Committee. He added there were many other Supervisors present today who had been active, apprising this County was the only one to send six representatives to this meeting, as well as another additional six Supervisors, who were not members of the Planning Board. He thanked Supervisor McDevitt for taking an active lead role and making the Planning Board a part of the Economic Growth & Development Committee, allowing all of the Supervisors to question the Loan Committee and Walter Young, *Executive Director, Lake Champlain-Lake George Regional Planning Board*. He mentioned the point of him going through this was to highlight that the Warren County Board of Supervisors had been very active in trying to address this issue and reform the Planning Board to ensure going forward they were serving the five Counties in the manner originally intended. He thanked Supervisor Strough for serving as a member of the Governance Committee and he pointed out it would take some time to repair the foundational issues that required addressing, but with methodical work it would be accomplished.

Mr. Moore apprised the bill to assist Veterans and provide more State aid had passed the State Senate on Wednesday, but no action had been taken by the State Assembly. He said he would continue to track the progress of the bill and report back on it. With regards to the Governors Program Bill, he informed it had been in the Senate Rules Committee since April 24th and he would continue to track the bill and report if any progress was made. Finally, he stated there were three resolutions before them that would have requests to amend them forthcoming from the floor and copies of the proposed amendments were on their desks. He said those to be amended included proposed Resolutions 231, 233 and 236; He indicated he would briefly explain the amendments and then respectfully request that Chairman Conover call for the appropriate motions and discussions to make them. He stated proposed Resolution No. 231 would be amended to increase the reimbursement rate paid to Warren County for police services at the Great Escape from the initial \$56.50 per hour to \$57 per hour. He explained this was a technical correction to ensure the County's costs were fully covered and the need for this correction was discovered after the Criminal Justice & Public Safety Committee had approved the resolution. He said Resolution No. 233 would be amended to clarify the payment terms for the contract extension that was proposed for the SPCA. He apprised although the Criminal Justice & Public Safety Committee discussed and approved extending this contract to July 20th there was no discussion on what would be an appropriate fee for that twenty day extension. He continued, Supervisor Leggett, who chaired the Committee, has since proposed pro-rating the fee per diem based upon the vendors current contract; therefore, he stated, it was proposed to amend this resolution by adding an additional resolved paragraph, which was the second such paragraph on the amended Resolution. He advised Resolution No. 236 was the final resolution that would be amended to increase the dollar amount of this contract between the Employment & Training Administration and WSWHE BOCES (*Warren-Saratoga-Washington-*

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY, JUNE 15, 2018

Hamilton- Essex Board of Cooperative Educational Services) from \$13,700 to \$14,512. He explained the error occurred due to an oversight by the Department when they submitted their request to the Health, Human & Social Services Committee. He mentioned the contract was fully funded by Federal Workforce Investment funds that were earmarked for the Summer Youth Employment Program and the proposed \$812 increase was available within those funds. He informed Chris Hunsinger, *Director, Employment & Training Administration*, was present today to answer questions anyone may have.

Motion was made by Supervisor Leggett, seconded by Supervisor Thomas and carried unanimously to amend proposed 231 as outlined above.

In regards to the amendment to proposed Resolution No. 233, Supervisor Leggett informed the pro-rated fee was \$274 a day for the SPCA services. He reminded them the billing rate for the SPCA equated to about \$200 an hour for the services they provided as compared to the \$57 per hour that was being charged to the Great Escape for Law Enforcement services. He said the Criminal Justice & Public Safety Committee had approved this contract by a majority vote.

Motion was made by Supervisor Leggett, seconded by Supervisor Sokol and carried unanimously to amend proposed Resolution No. 233 to include the pro-rated fee as outlined above.

Supervisor Leggett requested a roll call vote on proposed Resolution No. 233, *Amending Resolution No. 35 of 2018, Authorizing Temporary Agreement with Warren County Society for the Prevention of Cruelty to Animals, Inc., to Extend the Termination Date to July 20, 2018.*

Chairman Conover called for a motion to amend proposed Resolution No. 236 as outlined above. The necessary motion was made by Supervisor Frasier, seconded by Supervisor Wild and carried unanimously.

Privilege of the floor was extended to Mary Elizabeth Kissane, *County Attorney*, to provide a report from the County Attorney. Ms. Kissane advised she had nothing to report on.

Resuming the Agenda review, Chairman Conover called for the reading of communications, which Amanda Allen, *Clerk of the Board*, read aloud, as follows:

Reports from:

1. Warren County Probation Department Report of Criminal and Family Workloads for April 2018.

Minutes from:

1. Warren & Washington Counties Civic Development Corporation Executive Committee May 16, 2018 Meeting
2. Warren & Washington Counties Industrial Development Agency Executive/Park Committee May 16, 2018 Meeting

Letters/emails from:

1. Lake George Park Commission - thanking the Board of Supervisors for the generous contribution of \$100,000 towards the funding of the mandatory Lake George Boat Inspection Program.
2. FitzGerald Morris Baker Firth - Notice of Public Hearing - Warren and Washington Counties IDA will hold a public hearing on June 18th at 10:00 a.m. in the Supervisors Conference Room at the Queensbury Town Office Building in connection with the Firetek Sprinkler Systems, LLC project.
3. Washington County Board of Supervisors - Resolution No. 147 of 2018, appointing representatives to the Lake Champlain-Lake George Regional Planning Board.

Other:

1. Capital District Regional Off-Track Betting Corp. April payment in the amount of \$3,584.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 228-261 were mailed. Mrs. Allen stated a motion was necessary to bring to the floor proposed Floor Resolution No. 1, regarding the standard workday reporting to update those participating in the New York State Retirement System. The necessary motion was made by Supervisor Geraghty, seconded by Supervisor Driscoll and carried unanimously. Mrs. Allen announced proposed Floor Resolution No. 1 would now be proposed Resolution 262. Mrs. Allen advised a motion was also necessary to bring to the floor proposed Floor Resolution No. 2, pertaining to terminating agreement with SNCR LLC as railroad operator. The necessary motion was made by Supervisor Simpson, seconded by Supervisor Braymer and carried unanimously. Mrs. Allen announced proposed Floor Resolution No. 2 would now be proposed Resolution 263.

Chairman Conover called for discussion and public comment on the proposed resolutions, but no response was given. He then called for requests for roll call votes.

Supervisor Strough requested a roll call vote on proposed Resolution No. 261, *Approving Tentative Operating Budget for Fiscal Year 2018 - 2019 for Adirondack Community College and Providing for Public Hearing*. He said due to his membership on the SUNY Adirondack Board of Trustees he would be abstaining from voting on the proposed Resolution.

Supervisor Thomas requested a roll call vote on proposed Resolution No. 245, *Supporting Governor Cuomo's Program Bill to Amend the Environmental Conservation Law in Relation to Prohibiting Plastic Carry out Bags*. He explained while he did not necessarily oppose the objective of the proposed legislation, he thought a more comprehensive approach was needed to address the bottles, cans and garbage that was being discarded all along the County roads by increasing the fines for littering and better enforcing them. He added an education campaign to inform individuals about the ramifications of littering could also be implemented to reduce the amount of litter along the roads. He informed he would be voting in opposition of the proposed Resolution because he felt this was a "patch work" approach, as well as due to his concerns about banning things. He reiterated his sentiment from earlier that an education campaign along with increasing the fines for littering would be a more appropriate approach.

Supervisor Loeb apprised while he would be supporting proposed Resolution No. 245, he concurred with Supervisor Thomas' comment that an educational process would drastically reduce the amount of littering as supported by the fact that the amount of littering had dropped off significantly since the 1940's when prior education efforts were made. He said this was why he felt they should continue to take steps to increase the education regarding littering even if proposed Resolution No. 245 was adopted.

Supervisor Magowan remarked he strongly supported all of the comments being made regarding a ban on plastic bags, as well as how it was necessary to address littering as a whole. He advised Supervisor Braymer had taken the lead drafting proposed legislation for the County on the matter. He commented on how beautiful the region was and that action was required to push New York State to go a step further. He stated he could not recall the number of instances he had been driving behind a garbage truck and the light plastic bags blew out of the back and onto the road. He said he wished he had more time to stop and pick them up whenever he saw them on the side of the road, as he was bothered by the littering. He apprised he had been the one to make his friends pick up the litter they threw out of

the car window when he was with them. He apprised he felt the proposed resolution was an appropriate way for them to commence taking action.

Supervisor Leggett advised he had also participated in the NYSAC webinar pertaining to plastic bags which he felt was very informative on the subject and he said if an opportunity arose for those who had not participated to access the webinar he would strongly encourage them to take advantage of it.

Supervisor Braymer said she had watched the majority of the webinar during which one of the topics of discussion concerned Erie County's efforts to allocate a significant amount of time and money on an educational program. She said she thought this was something they could consider doing here; however, she noted, she strongly felt they should be banning single use plastic bags here due to the littering aspect and that they originated from a non-renewable resource. She explained typically plastic was made from an oil based product and were generally used for no more than ten or so minutes following which the majority of them were thrown away. She remarked she believed they would be helping the environment if they used something else such as a biodegradable material, plant or paper based type of product, most notably in Warren County where the environment was so important to all of them.

Supervisor Diamond stated he would like to discuss proposed Resolution Nos. 234, *Authorizing Submission of Consolidated Funding Application for Various Local Waterfront Programs and Community Development Programs*, and 261, *Approving Tentative Operating Budget for Fiscal Year 2018 - 2019 for Adirondack Community College and Providing for Public Hearing*, and he inquired what various projects they were seeking to apply for, what communities they were located in and what the local share obligation to those communities would be if it was accepted and approved through the funding process, as this information was not included in the Resolution. Mr. Moore informed that Wayne LaMothe, *County Planner*, who was not present at the meeting, had requested the resolution to cover any projects that may be deemed appropriate to apply to the State for these funds. He said Mr. LaMothe's memo indicated his Department was seeking to maintain an option to submit for projects that may be eligible and met the funding thresholds. He continued, the projects would be selected from the current First Wilderness Plan and were required to demonstrate readiness and have matching funds in place, or committed already and that other applications would be prepared for projects or programs under the direction of the Chairman of the Board. Supervisor Diamond apprised this meant the Board was being asked to approve a Resolution that authorized projects they were unaware of nor were they aware of whether the communities had the matching funds required available, and these were the questions he was seeking answers to.

Supervisor Leggett stated that proposed Resolution No. 234 was providing the Planning & Community Development Department with the proper authority to apply for these grant funds similar to the way in which towns adopted resolutions authorizing the applications for this grant. He said since the Town of Chester was located along the Hudson River it was applicable to the local waterfront programs and they were in discussion about what those projects were. He said this was based on past studies prepared and identified particular projects. He explained in order to move forward with the application the towns were required to attest to the fact that they had the matching funds available.

Supervisor Diamond inquired whether the City of Glens Falls was included, as he was unsure of whether the City had adopted a resolution to support this or if all of the municipalities in Warren County were participating; additionally he questioned the municipalities were aware of what the amount of their local share and/or matching funds would be.

Supervisor Braymer apprised she felt they should have Mr. LaMothe elaborate on what projects he was focusing his applications on this year, as she was aware there was an entire listing of proposed projects.

She questioned how they could accomplish anything if the Board members were unaware of what projects were being concentrated on. She added the Towns should also be made aware of this information. She concluded she felt the Board members should have the opportunity to prioritize which projects should have applications submitted.

Chairman Conover remarked he believed the thought process behind this was to put the County in a position to apply, as the municipality had the option to decline the award if they were not in position to come up with the matching funds required. He added he felt it was imperative for Mr. LaMothe to return to Committee and explain what projects they were applying for and where the local matching funds would originate from. Supervisor Braymer mentioned they could lose out on other opportunities if something was applied for that the community was not agreeable to.

Supervisor Simpson stated he was currently working with the Planning & Community Development Department on a project located within the Schroon Lake Water Basin for the Towns of Chester and Horicon which would require a resolution committing the funds required based upon the plan they were currently developing. He pointed out next months Board meeting was scheduled prior to the deadline for the application. He said he believed the resolution before them today was to authorize the Planning & Community Development Department to continue to work with the Towns that were working with them on applications, all of which were well aware of the details included in the application. He stated the Board could provide the necessary approval at the July 20th Board Meeting. Chairman Conover inquired whether Supervisor Simpson was putting forth a motion to table proposed Resolution No. 234, *Authorizing Submission of Consolidated Funding Application for Various Local Waterfront Programs and Community Development Programs*, and Supervisor Simpson replied in the negative. Supervisor Simpson clarified that he felt they needed to provide the Planning & Community Development Department with affirmation that they wanted them to continue to work on the applications following which the Board could provide approval of them at the next Board Meeting.

Supervisor Geraghty explained Mr. LaMothe contacted all of the communities to inquire whether they were interested in applying for grant funding for certain projects. He added he did not believe Mr. LaMothe had ever applied for a grant that the community did not agree to carry out. He commented he believed they should move forward with proposed Resolution No. 234, *Authorizing Submission of Consolidated Funding Application for Various Local Waterfront Programs and Community Development Programs*, and Mr. Moore could request that Mr. LaMothe provide him with a list of the proposed projects which he would distribute to the full Board for review.

Supervisor Diamond informed he was not requesting that they hold off on approving the proposed Resolution, but rather that Mr. LaMothe provide them with a list of the projects being considered. He added he would like Mr. LaMothe to contact the Mayor Hall and invite him to participate in the process to afford him the opportunity to voice his thoughts.

Supervisor Hogan commented that these were appropriate questions to ask, but her community was one of those Mr. LaMothe was working with on this process. She added decisions had to be made at the local level before they could be approved. She said the only role of the Board was to support the writing of these grants and she urged them not to take any action that may delay the process. She advised she would be happy to meet with anyone to discuss what they were working on. She informed a resolution from the Town was required to be submitted with the application and so the commitment was well know to the community. She assured them the projects for the Town of Johnsburg were essential to them and she urged them to support the proposed Resolution.

Supervisor Thomas apprised a number of communities made use of these grants, pointing out the Town

of Stony Creek had been awarded five grants over the last ten years, all of which required a 50% match with the exception of one. He said their current application was for a relatively small grant, the purpose of which was to study the hamlet for possible water and sewer.

With regards to proposed Resolution No. 261, *Approving Tentative Operating Budget for Fiscal Year 2018 - 2019 for Adirondack Community College and Providing for Public Hearing*, Supervisor Diamond advised since he had been unable to attend the presentation of SUNY Adirondack's Tentative Operative Budget he had hoped to see a copy of that budget included with the resolution today to allow him some time for review. He said while he wanted to go on the record stating he was not opposed to assisting the College, in regards to transparency he queried whether it would be more sensible for them to hold the public hearing in advance of calling for a tentative vote on a budget. He advised the process that was used when dealing with budgets in the City of Glens Falls was to allow the public to voice their opinions on the budget before it was adopted. He mentioned in this particular case they were being asked to either support or vote against a budget without the input from the public. He continued, he would prefer having a copy of the budget to review prior to the vote today. He questioned whether the process required them to vote today, hold the public hearing and then vote on the tentative budget again and Chairman Conover replied in the affirmative. He inquired what the purpose of having a tentative vote today before a public hearing was scheduled was and Chairman Conover responded that he believed the process was spelled out in municipal law which required a public hearing be held on a tentative budget following which some changes could be made resulting in a final budget that had to be voted on. Supervisor Diamond questioned why they would ask someone to tentatively take a position prior to the final vote, as he thought it would be more appropriate for them to hold the public hearing and then vote on the final budget. He commented it appeared they were "putting the cart before the horse".

Supervisor Geraghty stated the purpose of proposed Resolution No. 261, *Approving Tentative Operating Budget for Fiscal Year 2018 - 2019 for Adirondack Community College and Providing for Public Hearing*, was to provide approval for the College to move forward with their Budget. He said a joint meeting with Washington County and the Personnel & Higher Education and Finance Committees was held during which they were all provided with copies of the tentative budget and a presentation was given regarding such. He stated moving forward with proposed Resolution No. 261 meant the County was agreeing to contribute their portion of the Colleges tentative budget following which a public hearing would be held wherein the public could speak for or against the Budget and then the Board voted on the final budget. He said he believed first and foremost approval from the County was required on their portion of the Budget. Mr. Moore added he had asked during his meeting with the College representatives what would occur in the event that the County's did not approve the increase in their contribution to the College and they indicated cuts would have to be made to the expense side of the Budget.

Supervisor Diamond inquired how much of an increase Warren County's contribution was as compared to last year and Supervisor Simpson replied the Budget was increasing by 2%. Chairman Conover asked how much the 2% increase equated to and Mr. Moore responded that it was about \$39,000. Chairman Conover apprised a copy of the Colleges Tentative 2018-2019 Budget would be emailed to the Board following the meeting to allow them time to review it before the July 20th Board Meeting.

Supervisor Loeb stated he felt compelled to make it clear for the record that the joint meeting of Personnel & Higher Education and Finance Committees where the Budget was reviewed was an official meeting for both Warren and Washington Counties and their respective Committees.

Chairman Conover advised in the Town of Bolton when the budget was produced it became a public

document following which the Town Board met and the budget became a preliminary tentative budget. He said a public hearing was held on the preliminary tentative budget following which changes could be made and then the final budget was voted on. He emphasized the last vote was on the final budget, informing the County would be voting on the final budget at next months meeting.

In regards to proposed Resolution No. 233, *Amending Resolution No. 35 of 2018, Authorizing Temporary Agreement with Warren County Society for the Prevention of Cruelty to Animals, Inc., to Extend the Termination Date to July 20, 2018*, Supervisor Braymer advised she believed she had told them at Committee and when the six month extension was approved that they had not gone out to bid for these services even though the cost was over the \$20,000 limit that was set in the purchasing policy for when the bidding process was required. She said they were in the process of going out to bid for these services and the bids would be due next week following which the Board would be able to vote on the contract at the July 20th Board Meeting. She apprised according to Mrs. Butler there was no method in which they could contract with the Warren County SPCA without being in violation of the County's Purchasing Policy. She remarked she did not feel they should be entering into a contract that breached their own policy and she would not be making a mockery of the policy or Mrs. Butler nor did she think anyone else should. She concluded by informing she would be voting in opposition of proposed Resolution No. 233.

Supervisor Wild stated he had previously mentioned his disdain for the process the Board adhered to upon occasion. He said this related to the fact that often what came before the Board was a last minute resolution that needed to be approved and spend money without providing any kind of advanced planning. He advised an organization with a budget that exceeded \$150 million should be able to adhere to their policies. He commented primarily on principle he could not support the proposed Resolution from that fact that they were continuing to make last minute revisions, extensions, etc. which were not necessary. He mentioned they developed appropriate processes within this organization to make this happen and he implored to help support him with this going forward because he believed it was wrong.

Supervisor Leggett informed the contract with the Warren County SPCA had been discussed extensively over the years during which time he had not supported it. He apprised they were expending \$100,000 on an annual basis and they were the only County in the State that had such a contact. He reminded them how the SPCA's reporting for reimbursement had been lax until recently. He said according to the bills they submitted they were charging the County \$200 an hour for these services which brought to light how expensive the service was. He stated as the Chair of the Criminal Justice & Public Safety Committee he had asked Ms. Kissane what type of services the County was obligated to provide and he apologized for not having the information at the Committee meeting, advising her response was that the services they were required to provide were very narrow. He added he had also inquired how many animal cases were prosecuted by the District Attorney's Office to which the response he received was an average of five per year. He mentioned while he had not supported this resolution at the Committee meeting he would support it today because the majority of his Committee had supported it; however, he noted, as indicated by Supervisor Braymer, the contract was in violation of the County's Purchasing Policy.

Supervisor Magowan apprised since many towns within Warren County contracted with the Warren County SPCA for animal control services, he would suggest they make the contract a County-wide one and require the towns to provide reimbursement for their portion of the services in an effort to save money through the shared services initiative. Supervisor Leggett apprised that his Town could not afford to pay the Warren County SPCA for their animal control services. Supervisor Magowan informed the representatives from the Warren County SPCA had indicated to him if all of the municipalities in

the County participated the cost for their services would decrease. Supervisor Magowan inquired whether the Town of Chester had a contract in place for dog control services and Supervisor Leggett replied in the negative, explaining they had an animal control officer who handled this service for them. Supervisor Magowan pointed out the Town may be able to save money by eliminating the dog control officer position and contracting these services out. He remarked he would like the Board to consider looking into a County-wide service due to the nature of the issue and the fact that it had been brought forward on multiple occasions.

Supervisor Beaty informed he would also be voting in opposition of proposed Resolution No. 233, *Amending Resolution No. 35 of 2018, Authorizing Temporary Agreement with Warren County Society for the Prevention of Cruelty to Animals, Inc., to Extend the Termination Date to July 20, 2018*, as he had disdain for violating the County Purchasing Policy. He said since they were violating the policy on a technicality it was clear they should not be voting in favor of the proposed resolution. With regards to Supervisor Magowan's suggestion to look into a County-wide animal services contract, Supervisor Beaty apprised following his and Mrs. Butler's research they determined that Warren County was the only one providing these services in the State. He said he would be happy to meet with Supervisor Magowan following the conclusion of the meeting to discuss what he had learned. He added since it was not financially sensible, nor were they legally obligated to provide these services, he did not feel they should continue to offer these services going forward.

Supervisor Loeb advised he concurred with Supervisor Braymer's remarks regarding the County not being in compliance with the County's Purchasing Policy; however, he noted, the contract was in effect through the end of June and the Sheriff put forth a request to extend it an additional twenty days to ensure the services were maintained. He remarked he felt extending the contract an additional twenty days did not make them any less culpable since they were already in violation of the County Purchasing policy. He added he felt they should move forward with the proposed resolution to ensure there was no break in the services and they would be in compliance of the policy following the conclusion of the twenty days. He advised this was the decision before them today and not whether they should continue to work with the Warren County SPCA.

Supervisor Wild said Sheriff York indicated to him at the Committee meeting that the Sheriff's Office would take care of any calls relating to animal services should the Board not move forward with extending the contract until a new contract could be awarded. He stated this meant there were no consequences associated with not extending the contract.

Mr. Moore apprised he concurred with Supervisor Wild that the process was challenging, as they had six months to handle the matter. He informed in late April or early May, Mrs. Butler had notified him that she was at a standstill with regard to issuing a new RFP (*Request for Proposal*) due to the diversity of opinions among the Board members and the Sheriff about what scope of services should be included in that RFP. He stated following Mrs. Butler's request for his and Supervisor Leggett's assistance, they established a working group to get some of those individuals with differing opinions in the same room to discuss what their differences were and come to an agreement as to what should be included in that RFP. He said following these meetings they issued an RFP that everyone was agreeable to; however, he noted, the delay in the process resulted in it not being feasible to issue the RFP in time before the current contract for animal services expired resulting in it being necessary to determine what the Board wanted to do during the lapse between the contract expiring and a new one being adopted. He concluded that he concurred there was frustration with the process; however, he noted, he hoped going forward it would be handled in a more suitable manner.

Supervisor Magowan stated it was unfortunate that he had been away and unable to attend some of the

Committee meetings he wanted to be present while he was out of town. He said as a result of his absence he thoroughly reviewed all of the proposed Resolutions before them. He voiced his concern, just as he had in the past, that the majority of the County's revenue was derived from sales tax which was based on the performance of the local economy and the figures that were presented with regard to the County's future financial outlook were less than favorable. He stated within the proposed resolutions before them he had observed a significant amount of money being expended which he found to be troubling, as he felt they relied too heavily on the fact that this was typical. He encouraged the Board to be more conscious about their spending.

With regard to proposed Resolution No. 263, *Terminating Agreement with Saratoga and North Creek Railroad, LLC as the Railroad Operator*, Supervisor Braymer remarked she felt compelled to speak to this since it did not come from a Committee. She said the Board had been reviewing this contract for quite some time and the County Attorney transmitted a letter to SNCR which received no response. She said since SNCR was no longer providing any services under the contract that the County benefitted from she was fully in support of terminating it. She said in months prior she had voiced concerns pertaining to the termination of the contract due to the fact that SNCR was carrying the liability insurance and maintaining the railroad for the County; however, she said, since this was no longer the case, she saw no benefit to continuing the contract. She acknowledged the County DPW for taking over the maintenance of the property which she was appreciative of.

Supervisor Simpson apprised the reason the termination of the contract was being brought forward now related to the fact that the legal counsel the County contracted with for assistance on the issues with the railroad had advised them to move forward in this manner.

There being no further discussion, Chairman Conover called for a vote on resolutions, following which Resolution Nos. 228-263 were approved as presented, with the exception of Resolution Nos. 231 and 236, which were amended from the floor, and Resolution No. 233, which failed due to a lack of the majority vote with 420 voting in favor (*Supervisors Dickinson, Magowan, Sokol, Hyde, Geraghty, Leggett, Loeb and Conover*), 472 against (*Supervisors Strough, Wild, Beaty, Thomas, Diamond, Braymer, Driscoll, Frasier, Simpson and Hogan*) and 108 Absent (*Supervisors Merlino and McDevitt*).

Chairman Conover called for public comments from anyone wishing to address the Board on any matter.

Dr. James Seeley, *Executive Director, Cornell Cooperative Extension*, said he would be remiss if he did not thank this Board for their support of the Skye Camp Program which resulted in them sending eighty children to the camp. He explained their organizations role was to supervise and coordinate the program with the schools, parents and the camp. He stated it had been an excellent day when the anonymous private donor, who wished to remain anonymous, had provided them with the funding to allow all the applicants to attend the camp, as this would be an experience they would remember for the rest of their lives.

Chairman Conover called for announcements.

Supervisor Braymer apprised she had attended the Lake Champlain-Lake George Regional Planning Board meeting the other day and she noted her appreciation of the efforts to fix the Board. She voiced her concern regarding the significant amount of redundancy there. She echoed her disappointment with regard to the fact that the Regional Planning Board did not take any action on the Executive Director; she noted many were aware of her displeasure with his performance. She said she believed many others shared this disappointment which was why she felt they should commence with a search for a new Executive Director who would provide the transparency and accountability they needed. She

suggested they consider someone like Jennifer Switzer, *Chief Financial Officer, Warren County Local Development Corporation*, who could utilize her significant experience to address the issues there. She commented that Beth Gillis, *GIS Specialist, Lake Champlain-Lake George Regional Planning Board*, did stellar work on the programs; however, she noted, she was unsure whether she had the right skill set for an executive director position. She concluded by stating she would like to see the Board moving forward with presenting the Regional Planning Board a qualified candidate for the position they could hire.

Supervisor Simpson reminded the Board of the annual Golf Tournament for Cornell Cooperative Extension which was scheduled for August 25th at Cronin's Gold Resort and he encouraged anyone interested in participating to contact himself or Dr. Seeley.

In response to the comments made by Supervisor Braymer with regard to the Lake Champlain-Lake George Regional Planning Board, Supervisor Dickinson apprised as a result of the prompting by Chairman Conover, the Regional Planning Board had made decisions regarding two major issues. He added they had decided to hold off on making any decisions regarding the Executive Director position until progress was made with rewriting their rules and regulations. He said although this would take some time, he felt it was the appropriate course of action. With regard to his opinion about this years Americade event, Supervisor Dickinson remarked he thought the event organizers had done a wonderful job responding to the decrease in attendance due to their typical attendees aging out through the addition of a block party that had been a tremendous success with the age demographic of attendees ranging from children to grandparents. He said the event included a number of different attractions, as well as food, drinks and music. He advised upon the invitation of the Americade organizers he had attended one of their events that took place at the Fort William Henry Resort where the attendees were welcomed to the region. He said he felt the Americade event was well attended and under control and he was anxiously awaiting information pertaining to the impact on occupancy tax from Mr. Swan.

Supervisor Beaty thanked Ms. McKinstry for her service to the County, as well as for providing him with a book pertaining to public administration concepts and cases. He apprised he had also attended the meeting of the Lake Champlain-Lake George Regional Planning Board which resulted in action that he believed was moving them forward in the right direction; however, he noted, he would like to remind everyone that although a significant number of the loans authorized by the Loan Committee were appropriate, there were some he found to be questionable. He informed he had expended a substantial amount of time reviewing four of these loans and he had questions regarding whether the correct process was followed, whether they followed Title 9, etc. He remarked he was not the type of person who wanted to forget the mistakes made in the past and just be sure not to do them again going forward. He said believed they needed to determine what had gone wrong and hold those accountable for the mistakes they had made. He said although they had appointed a new Chairman of the Regional Planning Board, he felt much more action was required to address all of the issues. He advised he had requested that the organizations Executive Director attend the Economic Growth & Development Committee meeting next week to allow them to continue delving into the default loans to get answers on how the process proceeded, to determine if they collected on the assets and had they placed the assets up for sale through a public auction. He commented although they had taken positive steps moving forward there were still a number of actions taken in the past that needed to be reviewed in order to achieve full transparency.

Supervisor Driscoll thanked the Americade organizers, the City of Glens Falls and the Warren County Tourism Department for working closely to attract attendees to the City's weekly Take A Bite Celebration which took place every Wednesday throughout late spring and early summer. He stated a

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY, JUNE 15, 2018

number of bikers had attended this past weeks event and he was hoping the event would grow in the future. Supervisor Driscoll advised earlier today the annual Warren County Head Start Community Day celebration had commenced in the City of Glens Falls and he encouraged anyone with time to attend, as the event was going on until 3:00 p.m.

Supervisor Strough stated in two days it would be the 243rd anniversary of Dr. Joseph Warren. He explained Warren County was named after Dr. Warren because on June 17, 1775 he made the heroic gesture of staying behind with a group of volunteers during the Battle of Bunker Hill so that other troops could escape with their lives, knowing what the ultimate result would be. He said Mr. Warren had been a part of the Sons of Liberty and turned down an officer appointment offered by General George Washington so that he could fight as a “man in the field”.

Supervisor Magowan advised he would like to acknowledge Supervisor Beaty and Braymer, who were on opposing sides for sitting down and working together, as this was something he had promoted during his campaign.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Frasier and seconded by Supervisor Wild, Chairman Conover adjourned the Board Meeting at 12:15 p.m.

2018 "TAR WARS" TOBACCO FREE EDUCATION PROGRAM



A partnership between Warren County Public Health, The American Academy of Family Physicians and our Local Schools

SOME TOBACCO STATS

- ▶ Tobacco remains the number one cause of preventable deaths in the US killing more than 480,000 deaths annually (including deaths from secondhand smoke) (source cdc.gov)
- ▶ Smoking rates among High School students in NYS has dropped by 84% from 2000-2016 an all-time low (NYSDOH).
- ▶ In Warren County 23% of adults smoke. This is higher than both NYS and National smoking averages.
- ▶ Every year smoking costs NYS: \$10.4 billion in health care, of which more than a third (\$3.3 billion) is paid for by Medicaid. It also costs billions of dollars more in lost workplace productivity.

TIMES ARE CHANGING AND SO IS BIG TOBACCO

- ▶ Although smoking rates among our adults remain steady the lower rates among teens and young adults is promising for Public Health.
- ▶ However big tobacco also sees this trend and is adapting to the changing perception of traditional tobacco.
- ▶ ENDS (electronic nicotine delivery system) products have become the next big marketplace for the tobacco industry to try and profit at the expense of our youth.
- ▶ In New York State youth rates of ENDS use has doubled from 10.5% to 20.6% surpassing the use of most other forms of tobacco.

PROBLEMS WITH ENDS PRODUCTS

- ▶ They are not well regulated and have varying concentrations of nicotine.
- ▶ They are just as addictive as regular tobacco and nicotine dependence harms brain development, causes anxiousness, irritability, trouble sleeping and concentration issues in teens.
- ▶ ENDS products have become an issue in schools because they are easily hidden, come in many designs and the vapor given off usually smells fruity, sweet or like other foods or perfume and doesn't stay visible long.
- ▶ ENDS products can also be used for illegal substances as well.



WHAT CAN BE DONE

- ▶ Continue to fund traditional tobacco prevention programs.
- ▶ Increase regulations on ENDS manufacturers
- ▶ Increase the tobacco (including ENDS products) purchase age from 18 to 21 to keep tobacco out of schools.

Did you know? 5 States have raised their tobacco purchase age to 21? They include Oregon, California, Hawaii, Maine and New Jersey.

- ▶ In New York State 15 City, or County localities including New York City have raised the purchase age to 21. Locally Albany and Schenectady Counties.

There is no preemption language present in state law keeping localities from raising the Minimum Legal Sales Age (MLSA) to 21. Local governments are free to enact ordinances to better protect their kids from addiction.

BIG CROSS ELEMENTARY – COOPER IVES
GRADE 4



BOLTON ELEMENTARY – RILEY HUCK GRADE 4



BOLTON ELEMENTARY – LAYNA WARD
GRADE 5



GLENS FALLS MIDDLE SCHOOL – NORA MOYNIHAN GRADE 5



HADLEY LUZERNE ELEMENTARY – KITTELY VANGUILDER

GRADE 4

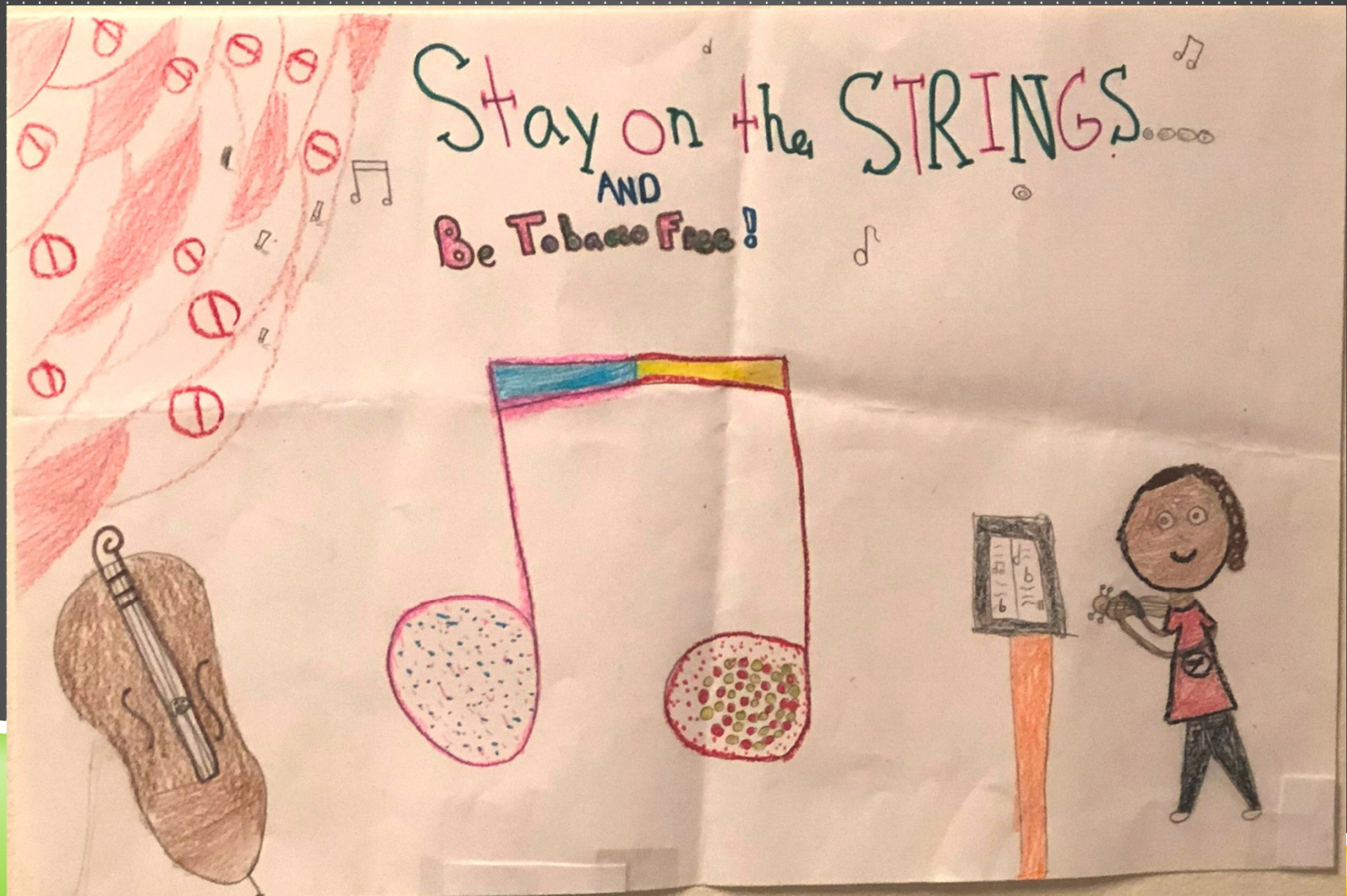
WARREN COUNTY OVERALL 2ND PLACE WINNER



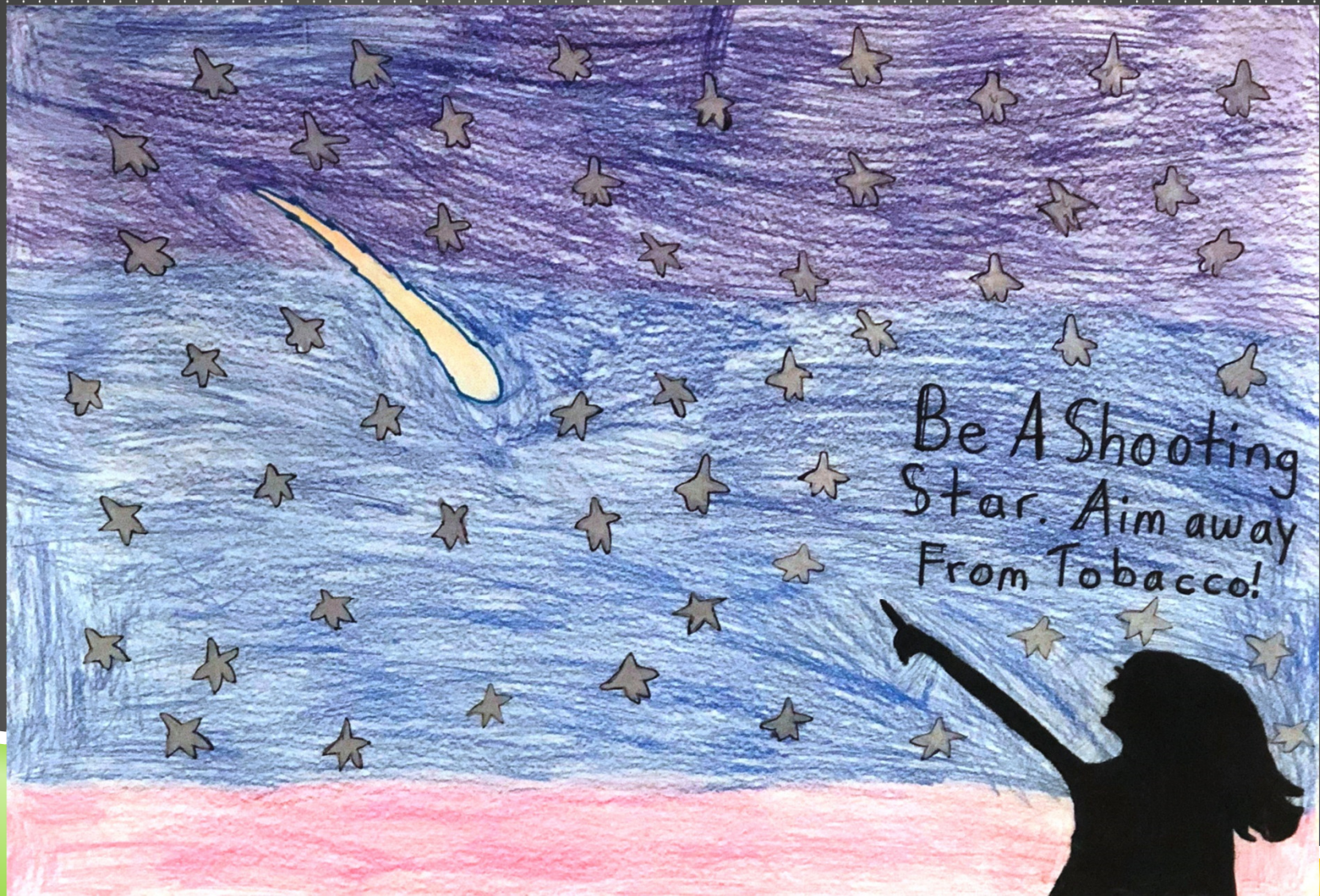
HADLEY LUZERNE ELEMENTARY – ALEXIS GRAHAM GRADE 4



JACKSON HEIGHTS ELEMENTARY – AVA JENKINS GRADE 4

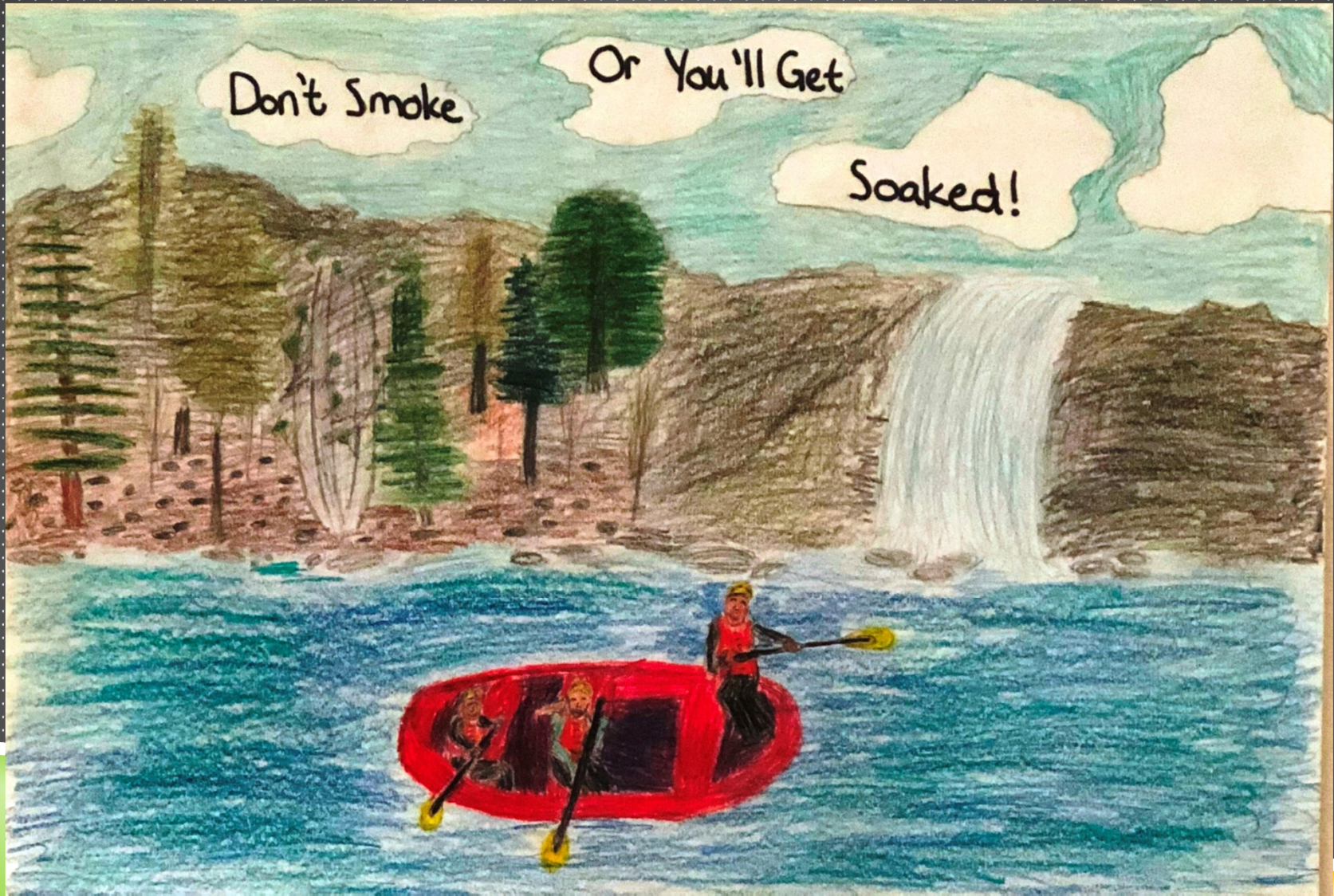


JOHNSBURG ELEMENTARY – HALEY MOSHER
GRADE 4



Be A Shooting
Star. Aim away
From Tobacco!

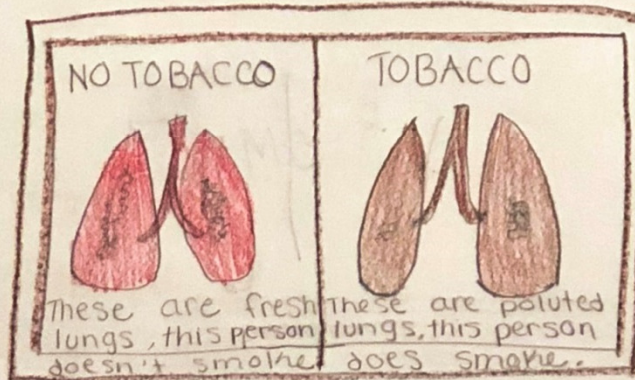
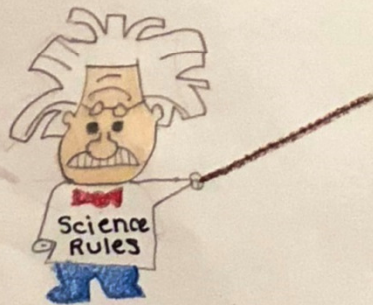
JOHNSBURG ELEMENTARY – LILLIAN SANANTONIO GRADE 5



KENSINGTON ELEMENTARY – NATALIE ZACHAR
GRADE 4

WARREN COUNTY OVERALL 1ST PLACEWINNER

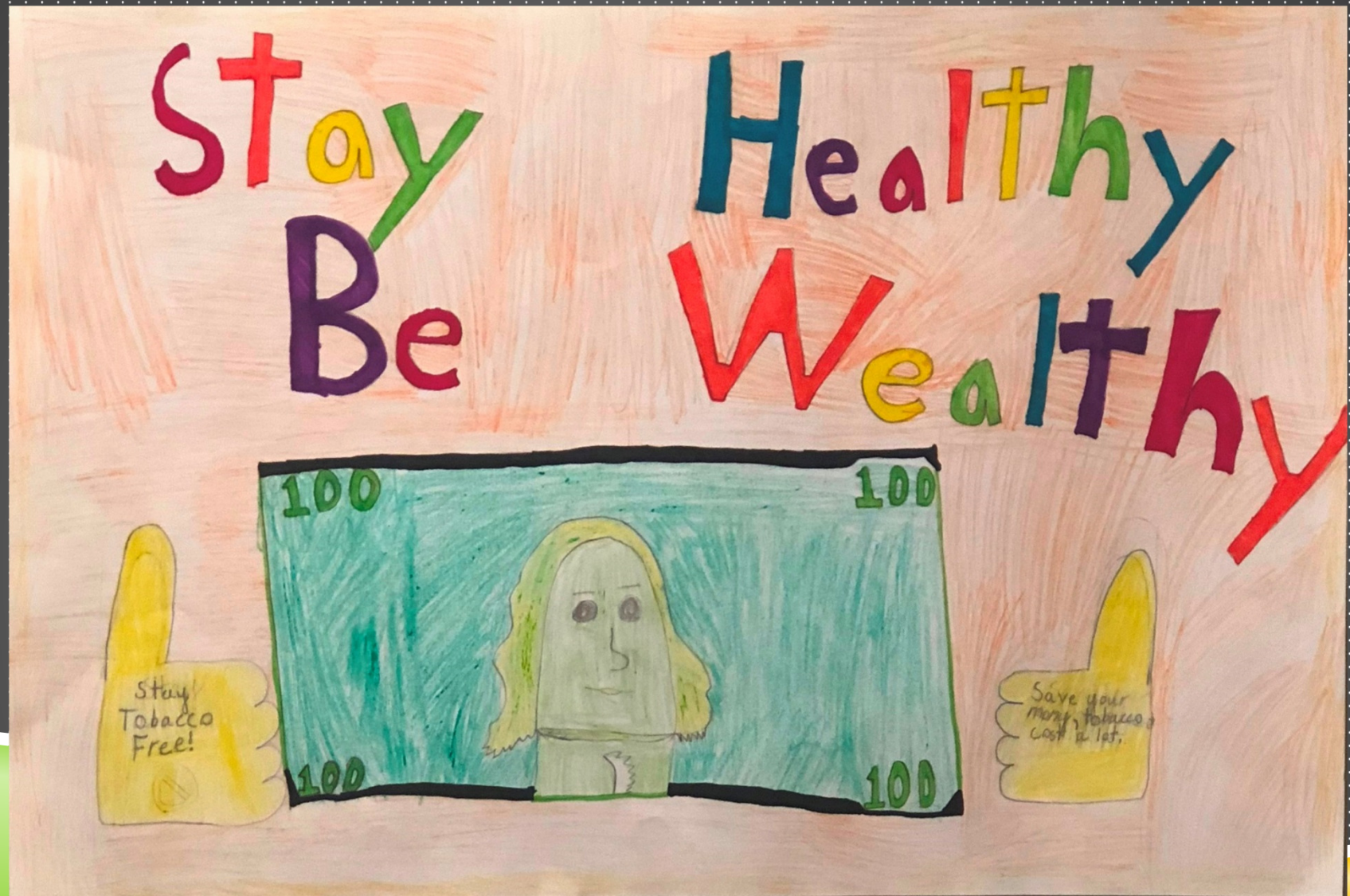
You Don't have to Be A Genius to know
that **TOBACCO** Is Bad!



Stay smart protect your Heart



LAKE GEORGE ELEMENTARY – KARI LYNN
GRADE 4



LAKE GEORGE ELEMENTARY – ALLESSANDRIA FASULO
GRADE 5



NORTH WARREN ELEMENTARY – ALEXIS SMITH
GRADE 4



NORTH WARREN ELEMENTARY – LEXIS MILLINGTON
GRADE 5



QUEENSBURY ELEMENTARY – ALLISON BLEYENBURG GRADE 4



QUEENSBURY ELEMENTARY – COLIN MCKEEL
GRADE 4



ST. MARY'S – ST. ALPHONSUS – ANGELLA NGUYEN
GRADE 5

WARREN COUNTY OVERALL 3RD PLACE WINNER



WARRENSBURG ELEMENTARY – HAILEY GOODSPEED
GRADE 4



WARRENSBURG ELEMENTARY – CHARLOTTE MEASECK
GRADE 4



A SPECIAL THANKS TO...



Warren County Board of Supervisors



Warren County Board of Supervisors

JUNE 15, 2018
BOARD MEETING



<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
228	ROLL CALL	FINANCE - MAKING SUPPLEMENTAL APPROPRIATIONS
229	ROLL CALL	FINANCE - AMENDING WARREN COUNTY BUDGET FOR 2018 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY
230		COUNTY FACILITIES (<i>BUILDINGS & GROUNDS</i>)- AWARDING BID AND AUTHORIZING AGREEMENT WITH WINCHIP OVERHEAD DOOR CO., INC. FOR OVERHEAD DOOR REPAIR, REPLACEMENT, INSTALLATION AND PREVENTATIVE MAINTENANCE (WC 29-18)
231		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>SHERIFF & COMMUNICATIONS</i>)- AUTHORIZING THE WARREN COUNTY SHERIFF TO EXECUTE AN AGREEMENT WITH THE GREAT ESCAPE THEME PARK (SIX FLAGS) FOR LIMITED POLICE PRESENCE DURING THE 2018 SEASON
232		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>SHERIFF & COMMUNICATIONS</i>) - AUTHORIZING AGREEMENT WITH WELLS COMMUNICATION SERVICE, INC. FOR THE REPAIR AND MAINTENANCE OF THE COMMUNICATION CONSOLES IN THE EMERGENCY COMMUNICATIONS CENTER AT THE WARREN COUNTY SHERIFF'S OFFICE
233	ROLL CALL	CRIMINAL JUSTICE & PUBLIC SAFETY (<i>SHERIFF & COMMUNICATIONS</i>) - AMENDING RESOLUTION NO. 35 OF 2018, AUTHORIZING TEMPORARY AGREEMENT WITH WARREN COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC., TO EXTEND THE TERMINATION DATE TO JULY 20, 2018 - RESOLUTION FAILED
234		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - AUTHORIZING SUBMISSION OF CONSOLIDATED FUNDING APPLICATION FOR VARIOUS LOCAL WATERFRONT PROGRAMS AND COMMUNITY DEVELOPMENT PROGRAMS
235		HEALTH, HUMAN & SOCIAL SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - AUTHORIZING TEMPORARY POSITIONS WITHIN THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION

Warren County Board of Supervisors

JUNE 15, 2018
BOARD MEETING



<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
236		HEALTH, HUMAN & SOCIAL SERVICES (COUNTRYSIDE ADULT HOME) - AUTHORIZING AGREEMENT WITH WASHINGTON-SARATOGA-WARREN-HAMILTON-ESSEX BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) FOR SUMMER YOUTH EMPLOYMENT & TRAINING PROGRAM THROUGH OPERATION FOOD CHAIN
237		HEALTH, HUMAN & SOCIAL SERVICES (DEPARTMENT OF SOCIAL SERVICES) - AUTHORIZING EXTENSION AGREEMENT WITH COUNCIL FOR PREVENTION OF ALCOHOL AND SUBSTANCE ABUSE, INC. FOR THE YOUTH COURT PROGRAM
238		HEALTH, HUMAN & SOCIAL SERVICES (EMPLOYMENT & TRAINING ADMINISTRATION) - AUTHORIZING AN AGREEMENT WITH MAHONEY NOTIFY-PLUS, INC. TO PROVIDE SEMI-ANNUAL TESTING, MONITORING AND INSPECTION OF THE FIRE ALARM AND SECURITY ALARM AT COUNTRYSIDE ADULT HOME WHICH INCLUDES VISUAL INSPECTION OF THE "K" RATED FIRE EXTINGUISHER
239		HEALTH, HUMAN & SOCIAL SERVICES (EMPLOYMENT & TRAINING ADMINISTRATION) - AUTHORIZING AGREEMENT WITH JENNIFER LINEHAN, REGISTERED DIETICIAN, FOR DIETARY CONSULTANT SERVICES FOR COUNTRYSIDE ADULT HOME
240		HEALTH, HUMAN & SOCIAL SERVICES (HEALTH SERVICES) - AUTHORIZING AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH AND HEALTH RESEARCH INSTITUTE FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS PLAN FUNDING
241		HEALTH, HUMAN & SOCIAL SERVICES (HEALTH SERVICES) - AMENDING RESOLUTION NO. 704 OF 2010 (AS AMENDED BY RESOLUTION NO. 548 OF 2013), TO UPDATE THE TABLE OF CONTENTS AND TO REFLECT CHANGES IN THE CORPORATE COMPLIANCE OFFICER INFORMATION
242		HEALTH, HUMAN & SOCIAL SERVICES (HEALTH SERVICES) - AMENDING RESOLUTION NO. 803 OF 2010, ADOPTING THE WARREN COUNTY CORPORATE COMPLIANCE POLICY, TO APPROVE AMENDMENTS TO THE POLICY

Warren County Board of Supervisors

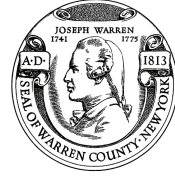
JUNE 15, 2018
BOARD MEETING



<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
243		LEGISLATIVE & RULES - RESOLUTION SUPPORTING THE RESOLUTION OF THE ADIRONDACK ASSOCIATION OF TOWNS & VILLAGES SUPPORTING THE EXEMPTION OF THE NEW YORK STATE OWNED FORMER CAMP GABRIELS CORRECTIONAL FACILITY PROPERTY LOCATED IN THE TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK FROM THE "FOREVER WILD" PROVISION OF THE CONSTITUTION OF THE STATE OF NEW YORK
244		LEGISLATIVE & RULES - SUPPORTING NEW YORK STATE SENATE BILL S8210, AN ACT TO AMEND THE EXECUTIVE LAW, IN RELATION TO THE COST OF MAINTENANCE AND OPERATIONS OF VETERANS' SERVICE AGENCIES
245	ROLL CALL	LEGISLATIVE & RULES - SUPPORTING GOVERNOR CUOMO'S PROGRAM BILL TO AMEND THE ENVIRONMENTAL CONSERVATION LAW IN RELATION TO PROHIBITING PLASTIC CARRY OUT BAGS
246		SUPPORT SERVICES (<i>INFORMATION TECHNOLOGY</i>) - AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE WARREN COUNTY TOURISM DEPARTMENT AND WARREN COUNTY INFORMATION TECHNOLOGY DEPARTMENT FOR COMPUTER SUPPORT SERVICES
247		SUPPORT SERVICES (<i>INFORMATION TECHNOLOGY</i>) - AUTHORIZING INTERMUNICIPAL AGREEMENTS BETWEEN WARREN COUNTY AND PARTICIPATING MUNICIPALITIES IN WARREN COUNTY TO UTILIZE THE ANTI-VIRUS ACCOUNT CURRENTLY ADMINISTERED BY WARREN COUNTY INFORMATION TECHNOLOGY
248		SUPPORT SERVICES (<i>PURCHASING</i>) - APPROVING REVISIONS TO THE WARREN COUNTY PURCHASING POLICY
249	ROLL CALL	PERSONNEL & HIGHER EDUCATION - AMENDING TABLE OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2018
250		PERSONNEL & HIGHER EDUCATION - APPOINTING MEMBER OF THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY AND CIVIC DEVELOPMENT CORPORATION

Warren County Board of Supervisors

JUNE 15, 2018
BOARD MEETING



<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
251		PERSONNEL & HIGHER EDUCATION - AUTHORIZING AN AGREEMENT WITH THE QUEENSBURY UNION FREE SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE QUEENSBURY SCHOOL DISTRICT
252		PERSONNEL & HIGHER EDUCATION - AUTHORIZING VOLUNTARY RECOGNITION BY THE WARREN COUNTY BOARD OF SUPERVISORS OF THE CORRECTIONS OFFICERS FORMATION OF A SEPARATE GROUP AND AUTHORIZING EXECUTION OF COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE WARREN COUNTY SHERIFFS' EMPLOYEES' ALLIANCE AND THE CORRECTIONS OFFICERS GROUP
253		PERSONNEL & HIGHER EDUCATION - AMENDING RESOLUTION NO. 238 OF 2017, APPOINTING MEMBERS TO THE REALLOCATION COMMITTEE PURSUANT TO THE TERMS OF THE CSEA AGREEMENT, TO REFLECT CHANGES TO THE COMMITTEE
254		PERSONNEL & HIGHER EDUCATION - AMENDING RESOLUTION NO. 12 OF 2018, APPOINTING MEMBERS TO REPRESENT WARREN COUNTY ON THE POLICY COMMITTEE OF THE ADIRONDACK-GLENS FALLS TRANSPORTATION COUNCIL, TO CHANGE THE DESIGNATED ALTERNATE
255		PERSONNEL & HIGHER EDUCATION - AMENDING RESOLUTION NO. 14 OF 2018, APPOINTING MEMBERS TO SERVE ON THE PLANNING COMMITTEE (FORMERLY KNOWN AS THE TECHNICAL ADVISORY COMMITTEE) OF THE ADIRONDACK-GLENS FALLS TRANSPORTATION COUNCIL, TO APPOINT KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS, TO THE COMMITTEE
256		PERSONNEL & HIGHER EDUCATION - AMENDING RESOLUTION NO. 186 OF 2018, AMENDING THE TABLE OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2018, TO CHANGE THE HOURS FOR THE CONSTRUCTION COST COORDINATOR POSITION
257	ROLL CALL	FINANCE - ESTABLISHING CAPITAL PROJECT NO. H381 AIRPORT MARKETING AND PROMOTION OF FLOYD BENNETT MEMORIAL AIRPORT; AUTHORIZING TRANSFER OF FUNDS AND AMENDING WARREN COUNTY BUDGET FOR 2018

Warren County Board of Supervisors

JUNE 15, 2018
BOARD MEETING



<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
258		FINANCE - AUTHORIZING COUNTY TREASURER TO CLOSE A CERTAIN CAPITAL PROJECT
259		FINANCE - AUTHORIZING COUNTY TREASURER TO CLOSE THE FOLLOWING CD ACCOUNTS ON BEHALF OF PLANNING AND COMMUNITY DEVELOPMENT
260	ROLL CALL	FINANCE - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE OCCUPANCY TAX RESERVE TO THE TREASURER'S OFFICE BUDGET TO PROVIDE FUNDING FOR THE CREATION OF AN ACCOUNTING TECHNICIAN POSITION IN THE TREASURER'S OFFICE; AMENDING 2018 WARREN COUNTY BUDGET
261	ROLL CALL	FINANCE - APPROVING TENTATIVE OPERATING BUDGET FOR FISCAL YEAR 2018 - 2019 FOR ADIRONDACK COMMUNITY COLLEGE AND PROVIDING FOR PUBLIC HEARING
<i>RESOLUTION Nos. 228 - 261 AND TWO CERTIFICATES OF APPOINTMENT WERE MAILED TO THE BOARD OF SUPERVISORS ON JUNE 7, 2018</i>		
262		SUPERVISORS GERAGHTY & DRISCOLL - AMENDING RESOLUTION NO. 268 OF 2016; APPROVING STANDARD WORK DAY AND TIME REPORTING RESOLUTION FOR ALL ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT PURPOSES
263		SUPERVISORS SIMPSON & BRAYMER - TERMINATING AGREEMENT WITH SARATOGA AND NORTH CREEK RAILROAD, LLC AS THE RAILROAD OPERATOR
<i>RESOLUTION Nos. 262 AND 263 WERE PROVIDED IN WRITING AND APPROVED FROM THE FLOOR AT THE BOARD MEETING</i>		
CA07		CERTIFICATE OF APPOINTMENT - APPOINTING MEMBERS TO SARATOGA-WARREN-WASHINGTON COUNTIES WORKFORCE DEVELOPMENT BOARD
CA08		CERTIFICATE OF APPOINTMENT - APPOINTING MEMBER TO WARREN COUNTY YOUTH BOARD

Warren County Board of Supervisors

CERTIFICATE OF APPOINTMENT

I, RONALD F. CONOVER, Chairman of the Warren County Board of Supervisors, pursuant to the power vested in me, DO HEREBY APPOINT, the following named persons as members of the Saratoga-Warren-Washington Counties Workforce Development Board, for the term set opposite their name:

<u>NAME</u>	<u>SECTOR/AFFILIATION</u>	<u>TERM</u>
Mike Perez	SI Group	7/01/18 - 6/30/21
Tracey Riley	Finch Paper, LLC	7/01/18- 6/30/21
John Wheatley	Economic Development Corporation, Warren County, New York	7/01/18- 6/30/21

Dated: June 15, 2018



RONALD F. CONOVER, CHAIRMAN
Warren County Board of Supervisors

Warren County Board of Supervisors

CERTIFICATE OF APPOINTMENT

I, RONALD F. CONOVER, Chairman of the Warren County Board of Supervisors, pursuant to the power vested in me, DO HEREBY APPOINT the following named individual as a member of the Warren County Youth Board, for the term set opposite her name:

NAME/ADDRESS

TERM

Susan Shepler (Town of Thurman)

1/1/18 - 12/31/18

Dated: June 15, 2018



RONALD F. CONOVER, CHAIRMAN
Warren County Board of Supervisors

Warren County Board of Supervisors

RESOLUTION NO. 228 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, MCDEVITT, GERAGHTY, BRAYMER AND HYDE

MAKING SUPPLEMENTAL APPROPRIATIONS

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2018 as set forth herein, now, therefore, be it

RESOLVED, that the following budget amendments are approved and authorized:

<u>FROM CODE</u>		<u>TO CODE</u>		<u>AMOUNT</u>
<u>DEPARTMENT: PUBLIC WORKS</u>				
A.7110 110	Parks & Recreation, Salaries-Regular	A.7110 120	Parks & Recreation, Salaries-Overtime	\$2,500.00
D.5112.8258 421	County Road, County Roads, 2017 CR#72 Garnet Lake Road, Equipment Rental	D.5112.8244 130	County Road, County Roads, 2016 CR#19 Olmsteadville Road, Salaries-Part Time	1,223.70
D.5112.8258 421		D.5112.8254 120	2016 CR#10 Schroon River Road, Salaries- Overtime	0.01
D.5112.8258 421		D.5112.8258 110	2017 CR#72 Garnet Lake Road, Salaries- Regular	0.46

Warren County Board of Supervisors

RESOLUTION NO. 229 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, MCDEVITT, GERAGHTY, BRAYMER AND HYDE

AMENDING WARREN COUNTY BUDGET FOR 2018 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2018 as set forth herein, now, therefore, be it

RESOLVED, that the following budget amendments are approved and authorized:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
EMPLOYMENT AND TRAINING		
<u>ESTIMATED REVENUE</u>		
40.6293.0305 4791	Workforce Invest. Act, WIA/WIOA, Dislocated Worker, Workforce Invest. Act/Workforce Innovation & Opportunity Act	\$6,900.00
40.6326 4786	Summer TANF, Summer TANF	109,237.00
<u>APPROPRIATIONS</u>		
40.6293.0305 433	Workforce Invest. Act, WIA/WIOA, Dislocated Worker, Training-Client	6,900.00
40.6326 110	Summer TANF, Salaries-Regular	14,409.00
40.6326 130	Salaries-Part Time	66,688.00
40.6326 410	Supplies	400.00
40.6326 470	Contract	14,512.00
40.6326 810	Retirement	2,262.00
40.6326 830	Social Security	5,078.00
40.6326.831	Medicare Contribution	1,188.00
40.6326 860	Hospitalization	4,700.00

RESOLUTION NO. 229 OF 2018

PAGE 2 OF 2

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
HEALTH SERVICES		
<u>ESTIMATED REVENUE</u>		
A.4010.3426	Health Services, DSRIP Engagement Funds	\$18,043.00
<u>APPROPRIATIONS</u>		
A.4010 428	Data Processing & Internet Fees	18,043.00
SHERIFF		
<u>ESTIMATED REVENUE</u>		
A.3110 2680	Sheriff Law Enforcement, Insurance Recoveries	3,673.28
A.3020.4036.4380	2017 Interoperable Comm. Grant, State Homeland Security Program	550,861.00
<u>APPROPRIATIONS</u>		
A.3110 441	Sheriffs Law Enforcement, Auto-Supplies & Repair	3,673.28
A.3020.4036 470	2017 Interoperable Comm Grant, Contract	57,441.00
A.3020.4036 260	Other Equipment	493,420.00

RESOLVED, that the supplemental appropriations or reductions in estimated revenues and appropriations set forth above are authorized and the County Treasurer be, and he hereby is, authorized and directed to amend the budget of Warren County for 2018 for the estimated revenues, appropriations and codes indicated, and be it further

RESOLVED, that the Warren County budget for 2018 is hereby amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 230 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, BEATY, LEGGETT, LOEB, GERAGHTY, STROUGH, SIMPSON, FRASIER, WILD, MCDEVITT AND SOKOL

AWARDING BID AND AUTHORIZING AGREEMENT WITH WINCHIP OVERHEAD DOOR CO., INC. FOR OVERHEAD DOOR REPAIR, REPLACEMENT, INSTALLATION AND PREVENTATIVE MAINTENANCE (WC 29-18)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Overhead Door Repair, Replacement, Installation and Preventative Maintenance (WC 29-18), and

WHEREAS, the Superintendent of the Department of Public Works has issued correspondence recommending that Warren County award the contract to Winchip Overhead Door Co., Inc., as the lowest responsible bidder, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent notify Winchip Overhead Door Co., Inc. of the acceptance of its proposal, and be it further

RESOLVED, that Warren County enter into an agreement with Winchip Overhead Door Co., Inc., P.O. Box 378, Glens Falls, New York 12801 for Overhead Door Repair, Replacement, Installation and Preventative Maintenance, pursuant to the terms and provisions of the specifications (WC 29-18) and proposal, at the prices listed on the proposal, for a term commencing on May 1, 2018 and terminating on April 30, 2019, said agreement may be extended for two (2) additional one (1) year terms upon mutual agreement of the parties, and in the event a replacement agreement has not been issued, the County may extend the agreement for a term of three (3) months with the concurrence of Winchip Overhead Door Co., Inc. and said extension shall terminate when a replacement agreement has been issued, in a form approved by the County Attorney, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an agreement and extension agreements in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from various projects or Department of Public Works budget as appropriate.

Warren County Board of Supervisors

RESOLUTION NO. 231 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, GERAGHTY, SIMPSON, WILD, MAGOWAN, DIAMOND, SOKOL, HOGAN, BRAYMER, DRISCOLL AND VACANT

AUTHORIZING THE WARREN COUNTY SHERIFF TO EXECUTE AN AGREEMENT WITH THE GREAT ESCAPE THEME PARK (SIX FLAGS) FOR LIMITED POLICE PRESENCE DURING THE 2018 SEASON

WHEREAS, The Great Escape Theme Park (Six Flags) (“The Great Escape”) brings thousands of individuals to Warren County annually, and

WHEREAS, The Great Escape has recently experienced record attendance, and for the purpose of enhancing public safety and welfare at the theme park, is requesting the Warren County Sheriff’s Office to provide a limited police presence (one (1) patrol officer) at the theme park on such dates and times as the parties agree upon and continuing through the 2018 season, and

WHEREAS, for the limited police presence, The Great Escape has agreed to pay the Warren County Sheriff’s Office the sum of Fifty-Seven Dollars (\$57.00) per hour which is the current overtime rate for patrol officers, and

WHEREAS, this limited police presence at The Great Escape is budget neutral meaning it is provided at no additional cost to Warren County, and

WHEREAS, the Warren County Sheriff is requesting to enter into an agreement with the Great Escape Theme Park, to provide a limited police presence consisting of one (1) patrol officer at the theme park on such dates and times as the parties agree upon and continuing through the 2018 season, now, therefore, be it

RESOLVED, that the Warren County Sheriff enter into an agreement with The Great Escape to provide a limited police presence (one (1) patrol officer) within the theme park on such dates and times as the parties agree upon at the rate of Fifty-Seven Dollars (\$57.00) per hour, with the Great Escape providing liability insurance and indemnification of Warren County, in a form approved by the County Attorney, and be it further

RESOLVED, that any necessary budget amendments to reflect the Sheriff’s Office increase in overtime and the budget neutral impact of this agreement are hereby authorized.

Warren County Board of Supervisors

RESOLUTION NO. 232 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, GERAGHTY, SIMPSON, WILD, MAGOWAN, DIAMOND, SOKOL, HOGAN, BRAYMER, DRISCOLL AND VACANT

AUTHORIZING AGREEMENT WITH WELLS COMMUNICATION SERVICE, INC. FOR THE REPAIR AND MAINTENANCE OF THE COMMUNICATION CONSOLES IN THE EMERGENCY COMMUNICATIONS CENTER AT THE WARREN COUNTY SHERIFF'S OFFICE

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an agreement with Wells Communication Service, Inc., 221 North Greenbush Road, Troy, New York 12180 for the repair and maintenance of the communication consoles in the Emergency Communications Center at the Warren County Sheriff's Office, for a term commencing January 1, 2018 and terminating December 31, 2018, for an amount not to exceed Ten Thousand Eight Hundred Dollars (\$10,800) per year, with an option to extend the agreement for up to three (3) additional one (1) year terms upon mutual agreement of the parties and provided appropriations for same are included in the departmental budget, and in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.3020 470 Sheriff's 911 Center, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 233 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, GERAGHTY, SIMPSON, WILD, MAGOWAN, DIAMOND, SOKOL, HOGAN, BRAYMER, DRISCOLL AND VACANT

AMENDING RESOLUTION NO. 35 OF 2018, AUTHORIZING TEMPORARY AGREEMENT WITH WARREN COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC., TO EXTEND THE TERMINATION DATE TO JULY 20, 2018

RESOLUTION FAILED

WHEREAS, pursuant to Resolution No. 35 of 2018, the Warren County Board of Supervisors authorized the Chairman of the Board to execute an extension agreement with the Warren County Society for the Prevention of Cruelty to Animals, Inc. in the amount of Fifty Thousand Dollars (\$50,000) to be paid in accordance with the contract terms and to be expended from Budget Code A.3510 470 Control of Animals, Contract, for a term commencing on January 1, 2018 and terminating on June 30, 2018, and

WHEREAS, the Warren County Sheriff has requested that the agreement be extended until July 20, 2018, to allow time to award a new contract and to prevent a lapse in animal services to the County, now, therefore, be it

RESOLVED, that Resolution No. 35 of 2018 be, and hereby is, amended to extend the termination date of the temporary agreement with the Warren County Society for the Prevention of Cruelty to Animals, Inc. to July 20, 2018, and be it further

RESOLVED, that payment for the services to be provided from July 1 through July 20, 2018 will be paid on a pro-rated basis according to the original contract amount of Fifty Thousand Dollars (\$50,000) for the term commencing on January 1, 2018 and terminating on June 30, 2018, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an amendment agreement as outlined above, in a form approved by the County Attorney, and be it further

RESOLVED, that other than the changes outlined above, all other terms and conditions of Resolution No. 35 of 2018 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 234 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS MCDEVITT, BEATY, LEGGETT, BRAYMER, STROUGH, HOGAN, MAGOWAN, SIMPSON AND WILD

AUTHORIZING SUBMISSION OF CONSOLIDATED FUNDING APPLICATION FOR VARIOUS LOCAL WATERFRONT PROGRAMS AND COMMUNITY DEVELOPMENT PROGRAMS

WHEREAS, the County Planner is requesting to submit a New York State Consolidated Funding Application for Local Waterfront Programs and Community Development Programs for various projects, with any required matching funds to be provided by the community sponsoring the project, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute and submit a Consolidated Funding Application for Local Waterfront Programs and Community Development Programs for various projects, with any required matching funds to be provided by the community sponsoring the project, and be it further

RESOLVED, that upon notification of a grant award, the Chairman of the Board of Supervisors be, and hereby is, authorized and directed to execute a grant agreement and other necessary grant documents to effect the terms of the grant, in a form approved by the County Attorney, and be it further

RESOLVED, that if any additional funds become available during the term of the grant agreement, the Chairman of the Board of Supervisors be, and hereby is, authorized to execute any and all necessary documents to accept said additional funds in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 235 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AUTHORIZING TEMPORARY POSITIONS WITHIN THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION

RESOLVED, that the following temporary positions of employment and training are hereby authorized under the Workforce Innovation and Opportunity Act (WIOA) and Summer Temporary Assistance to Needy Families (TANF) Program, within the Warren County Employment & Training Administration as set forth on Schedule "A" attached hereto, and be it further

RESOLVED, that the period for said positions, shall begin on July 1, 2018, pending receipt of funding from the Federal and State Government, and shall automatically terminate on June 30, 2019, or upon termination of Federal and State funding for the above-mentioned Programs, or upon the disbursement of all funds received by the County Treasurer for such Programs, whichever occurs first.

RESOLUTION NO. 235 OF 2018

PAGE 2 OF 2

SCHEDULE "A"

**Temporary Positions/Training Slots
7/1/18-6/30/19**

EST. NO. OF JOBS/TRAINING SLOTS	TITLE	DEPT.	ALLOWANCES/WAGES
Title I – Adult 60 Training slots	N/A	WIOA-Adult	Training stipend per approved job training plan/WDB policies. *
Title I - Dislocated Workers 60 Training Slots	N/A	WIOA-D/W	See below*
Trade Act Programs Training Slots (per DOL)	Aides	Trade Act	See below*
Title I - Youth Employment Programs 10 Training slots	N/A	WIOA-Youth	See below**
10 Jobs - in school youth	Aides	WIOA-Youth	See below**
30 Jobs – out of school youth	Aides	WIOA-Youth	See below***
Work Crew Supervisor	Aide	WIOA-Youth	See below****
Summer TANF 50 Jobs	Aides	Summer TANF	See below**

*Plus tuition, books and related training fees, testing/certification/licensing fees, child care, on-line training licenses, transportation and mileage payments, needs related payments, trade act job search/relocation allowances and other financial payments made to or on behalf of program participants consistent with the job training plan, federal trade act or applicable WIOA and WDB approved policies. Subject to availability of funds.

**\$10.40/hr. for public/non profit sector worksites. Maximum up to entry-level wage rate for individual private sector worksite placements.

***\$10.40/hr. for public/non profit sector worksites with one performance increase of \$.30/hr. as approved by the Employment and Training Office. May also pay up to entry level wage rate for individual private sector worksite placements.

****\$16.00/hr. for temporary, Part-Time Work Crew Supervisor. Subject to availability of funds, identification of eligible youth and appropriate amount of work.

Note: Wages subject to adjustment as needed to comply with minimum wage requirements.(i.e., minimum wage increases to \$11.10/hr. on 12/31/18).

Note: References to above funding streams (adult, etc.) will be inclusive of all types of funds allocated including basic formula funds, incentive funds, supplemental funds, trade act funds or other similar funding made available to the County by the NYS Dept. of labor for workforce related activities.

Warren County Board of Supervisors

RESOLUTION NO. 236 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AUTHORIZING AGREEMENT WITH WASHINGTON-SARATOGA-WARREN-HAMILTON-ESSEX BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) FOR SUMMER YOUTH EMPLOYMENT & TRAINING PROGRAM THROUGH OPERATION FOOD CHAIN

RESOLVED, that Warren County enter into an agreement with the Washington-Saratoga-Warren-Hamilton-Essex Board of Cooperative Educational Services (BOCES) to provide employment and training for the Summer Youth Employment Program through Operation Food Chain, in an amount not to exceed Fourteen Thousand Five Hundred Twelve Dollars (\$14,512) for a term commencing June 25, 2018 and terminating August 31, 2018, and be it further

RESOLVED, that the agreement shall be funded from Budget Code 40.6326.470 Workforce Invest. Act, Summer TANF, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 237 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AUTHORIZING EXTENSION AGREEMENT WITH COUNCIL FOR PREVENTION OF ALCOHOL AND SUBSTANCE ABUSE, INC. FOR THE YOUTH COURT PROGRAM

RESOLVED, that the Warren County Board of Supervisors authorizes continuation of the previous agreement authorized by Resolution No. 592 of 2015, with the Council for Prevention of Alcohol and Substance Abuse, Inc., 10 LaCrosse St., Hudson Falls, New York 12839, to provide a Youth Court Program, for a total amount of Sixty-Eight Thousand Eight Hundred Twenty Dollars (\$68,820) for a term commencing January 1, 2018 and terminating December 31, 2018, in a form approved by the County Attorney with the costs to be paid from Budget Code A.7313 470 Youth Court, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 238 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AUTHORIZING AN AGREEMENT WITH MAHONEY NOTIFY-PLUS, INC. TO PROVIDE SEMI-ANNUAL TESTING, MONITORING AND INSPECTION OF THE FIRE ALARM AND SECURITY ALARM AT COUNTRYSIDE ADULT HOME WHICH INCLUDES VISUAL INSPECTION OF THE “K” RATED FIRE EXTINGUISHER

WHEREAS, the Director of Countryside Adult Home has requested an extension of the agreement with Mahoney Notify-Plus, Inc. to provide semi-annual testing and inspection of the fire alarm and security alarm at Countryside Adult Home for an amount not to exceed One Thousand Four Hundred Seventy-Five Dollars (\$1,475), for a term commencing on August 1, 2018 and terminating on July 31, 2019, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is authorized and directed to execute an agreement with Mahoney Notify-Plus, Inc., P.O. Box 767, 15 Cooper Street, Glens Falls, New York 12801, to provide semi-annual testing, monitoring and inspection of the fire alarm and security alarm at Countryside Adult Home and to also visually inspect the “K” rated fire extinguisher for a total amount not to exceed One Thousand Four Hundred Seventy-Five Dollars (\$1,475), for a term commencing on August 1, 2018 and terminating on July 31, 2019 and in a form approved by the County Attorney, to be paid from Budget Code A.6030 413 Countryside Adult Home, Repair & Maint. - Bldg/Property.

Warren County Board of Supervisors

RESOLUTION NO. 239 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AUTHORIZING AGREEMENT WITH JENNIFER LINEHAN, REGISTERED DIETICIAN, FOR DIETARY CONSULTANT SERVICES FOR COUNTRYSIDE ADULT HOME

RESOLVED, that Warren County enter into an agreement with Jennifer Linehan, Registered Dietician, for Dietary Consultant Services for the Countryside Adult Home, for a term commencing March 1, 2018 and terminating March 1, 2019, and the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an agreement in a form approved by the County Attorney, with the source of funding to be Budget Code A.6030 470 Countryside Adult Home, Contract, and for the amount set forth below:

<u>NAME/ADDRESS</u>	<u>RATE/NUMBER OF HOURS</u>	<u>ANNUAL TOTAL AMOUNT NOT TO EXCEED</u>
Jennifer Linehan, R.D. 196 Circular Street Saratoga Springs, NY 12866	\$40/hour - maximum of 8 hours average per month	\$3,840.00

Warren County Board of Supervisors

RESOLUTION NO. 240 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

**AUTHORIZING AGREEMENT WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH AND HEALTH RESEARCH INSTITUTE FOR
PUBLIC HEALTH EMERGENCY PREPAREDNESS PLAN FUNDING**

WHEREAS, the Director of Public Health/Patient Services has requested to continue its contractual relationship with New York State Department of Health (NYSDOH) and Health Research Institute, the agency that administers the grant on behalf of NYSDOH, relating to Public Health Emergency Preparedness Plan funding, in an amount not to exceed Fifty-Two Thousand Ninety-Six Dollars (\$52,096) for a term commencing July 1, 2018 and terminating June 30, 2019, now, therefore, be it

RESOLVED, that Warren County continue its contractual relationship with New York State Department of Health, 150 Broadway, Suite 516, Menands, New York 12204, as well as with the administrative agency, Health Research Institute, One University Place, Rensselaer, New York 12144, for Public Health Emergency Preparedness Plan Funding in an amount not to exceed Fifty-Two Thousand Ninety-Six Dollars (\$52,096) for a term commencing July 1, 2018 and terminating June 30, 2019, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute agreements relating to Public Health Emergency Preparedness Plan funding with the New York State Department of Health and Health Research Institute, either individually or jointly, in an amount not to exceed Fifty-Two Thousand Ninety-Six Dollars (\$52,096) for a term commencing July 1, 2018 and terminating June 30, 2019, in a form approved by the County Attorney, and be it further

RESOLVED, that if any further federal or state funding becomes available during the term of this contract, no further resolution will be necessary to accept these funds and the Chairman of the Board of Supervisors is authorized to execute any documents necessary to receive the funds.

Warren County Board of Supervisors

RESOLUTION NO. 241 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AMENDING RESOLUTION NO. 704 OF 2010 (AS AMENDED BY RESOLUTION NO. 548 OF 2013), TO UPDATE THE TABLE OF CONTENTS AND TO REFLECT CHANGES IN THE CORPORATE COMPLIANCE OFFICER INFORMATION

WHEREAS, pursuant to Resolution No. 704 of 2010, the Warren County Board of Supervisors adopted the Corporate Compliance Policy for Warren County Health Services, and

WHEREAS, pursuant to Resolution No. 548 of 2013, the Corporate Compliance Policy for Warren County Health Services was amended to include privacy and security protections for health information for the Health Information Technology for Economic and Clinical Health Act (HITECH) that was established under the Health Information Portability and Accountability Act of 1996 (HIPAA), and

WHEREAS, the Director of Public Health/Patient Services has requested that the Corporate Compliance Policy for Warren County Health Services be further amended to reflect changes in the Compliance Officer information and to update the table of contents to include the HIPAA information approved in Resolution No. 548 of 2013, now, therefore be it

RESOLVED, that the Warren County Board of Supervisors hereby adopts the revised Corporate Compliance Policy for Warren County Health Services as outlined above and annexed hereto as Schedule "A".

SCHEDULE "A"

**WARREN COUNTY HEALTH SERVICES
CORPORATE COMPLIANCE POLICY**

TABLE OF CONTENTS

INTRODUCTION	3
COMPLIANCE OFFICERS	4
HEALTH SERVICES COMMITTEE	4
GENERAL POLICY	5
POLICY STATEMENTS	6
REFERRALS	7
BILLING AND CLAIMS; COST REPORTS	8
CONFIDENTIALITY	11
CODE OF CONDUCT/ETHICS	12
CONFLICTS OF INTEREST	13
EDUCATION AND TRAINING	14
REPORTING REQUIREMENTS	15
a. Reporting	15
c. Confidentiality	15
d. Investigations	15
e. Non-Retaliation	15
DISCIPLINARY PROCEDURES	16
HITECH AND HIPAA INFORMATION	17

Appendix: Federal & New York Statutes Relating To Filing False
Claims

INTRODUCTION

Warren County Health Services (WCHS)* is devoted to meeting and maintaining the highest ethical and professional standards and to do so through compliance with all applicable laws in all actions regarding the operation of itself and all affiliates. This commitment and dedication is essential to WCHS achieving its mission and is critical because a significant portion of services are reimbursed through governmental programs which require that WCHS business be conducted with complete integrity and veracity. WCHS will adhere to our Corporate Compliance Program.

To ensure that WCHS operations are being conducted in compliance with applicable laws and the highest ethical standards, WCHS has developed a Compliance Program under the direction of our Compliance Officers.

*Warren County Health Services will be referred to as WCHS throughout this document. Offices are located at the Warren County Municipal Center, 1340 State Rte. 9, Lake George, New York 12845.

COMPLIANCE OFFICER

THE WCHS Corporate Compliance Officer(s) will be designated by the Director of Public Health and Patient Services. Compliance Officers in the course of exercising their duties as employees of WCHS also have a duty to develop, implement, review, maintain, promote, oversee, educate, monitor, audit, receive and give reports, investigate, and respond appropriately.

Health, Human and Social Services Committee: Members of the Board of Supervisors of the Health, Human and Social Services Committee, in the course of exercising their duties also have a duty to comply, promote and oversee, be educated, cooperative and respond appropriately regarding applicable aspects of the Compliance Program.

Please direct any question, comments or concerns pertinent to Warren County Health Services to:

Corporate Compliance Officer
Warren County Health Services
1340 State RT 9, Lake George, NY 12845
518-761-6580 Fax: 518-761-6422

Warren County Health Services functions as part of the overall Warren County Compliance Program. The Warren County Human Resources Director will act as the County Compliance Officer.

GENERAL POLICY

The policy of WCHS is to provide services in compliance with all state and federal laws governing its operation and consistently do so with the highest standards of business and professional ethics. This policy is a sincere commitment to our clients, our staff, our community, and the governmental agencies that regulate WCHS.

All WCHS employees must carry out their duties in accordance with this policy. To assist all employees with their obligation to comply, this manual includes statements of WCHS policy for a number of applicable areas. Conduct that does not comply with these policy statements is not authorized by WCHS and is outside the scope of employment at WCHS.

Any violation of applicable law, policy statements contained in this manual, or deviation from appropriate ethical standards, will subject an employee to disciplinary action, which may include oral or written warning, disciplinary probation, suspension, demotion, dismissal from employment or revocation of privileges. Any supervisor who directs or approves the employee's improper actions, or is aware of those actions but does not act appropriately to correct them, or who otherwise fails to exercise appropriate supervision may also be disciplined accordingly.

If at any time an employee becomes aware of any violation of WCHS policies, he or she must report it in accordance with the reporting requirements of this manual. All persons making such reports are assured that such reports will be treated as confidential to the extent permissible and that such reports will be shared only on a need to know basis. WCHS will take no adverse action against persons making such reports in good faith and without malicious intent whether or not the report ultimately proves to be well founded. If an employee does not report conduct violating WCHS policies, the employee may be subject to disciplinary action up to and including termination of employment.

Laws affecting operation of WCHS activities are complex and many. This manual addresses in general terms only the more important legal and ethical principles affecting WCHS activities. Their mention in this manual is not intended to minimize the importance of other applicable laws, professional standards, or ethical principles. It is not expected that each employee will be fully versed in all laws of permissible activities involved in their work. Therefore, if an employee has a question regarding the legality or propriety of a course of action, and this manual does not answer that question the employee should seek guidance from his or her supervisor or from the Compliance Officer before taking any action.

POLICY STATEMENT

It is WCHS policy to provide high quality care and services to its clients. WCHS believes that state and federal regulations governing WCHS operation provide a baseline of care standards which WCHS strives to exceed in the provision of care and services given to our clients by supplying them and their families with professional care and services.

Each client is entitled to a dignified existence, self determination and the provision of care and services in a manner and in an environment that promotes the maintenance or enhancement of a client's quality of life. It is WCHS policy to protect, promote and foster for each client his/her rights as a client of WCHS.

WCHS has developed policies and procedures to ensure quality of care and the protection and promotion of a client's rights that are to be adhered to by all WCHS staff. It is not the intent of this manual to set forth all such policies and procedures as they are available for review by all staff upon request.

It is the responsibility of all staff to ensure billing and payment for services reflects only those which have been approved and are provided accordingly. Signature on time sheets by clients and staff affirms the veracity of the document.

WCHS policies and procedures with regard to client rights and their care are available from the Compliance Officer or the Director of Health Services.

REFERRALS

Federal and State law prohibit WCHS and its employees from (1) soliciting or accepting or (2) offering or paying remuneration in exchange for referrals of patients eligible for Medicare, Medicaid or another federal health care program. Federal and State law also prohibit (1) the offering or payment or (2) the soliciting or receipt of remuneration in return for directly purchasing, leasing, ordering or recommending the purchase, lease or ordering of any goods, facilities, services or items covered under the benefits of Medicare, Medicaid or other federal health programs. The term "remuneration" broadly covers the transferring of anything of value in any form or manner whatsoever. Remuneration is not limited to bribes, kickbacks and rebates.

These federal and state laws are broadly written to prohibit WCHS and its employees from knowingly and willfully offering, paying, asking or receiving any money or other benefit, directly or indirectly, overtly or covertly, in cash or in kind. These laws are violated even if only one purpose of a payment arrangement is to influence referrals or the procuring of goods or services.

As a result all contracts and arrangements with actual or potential referral sources and all contracts and arrangements with vendors must comply with applicable state and federal laws and regulations. All personal service, management service and consulting service agreements must comply with applicable state and federal laws and regulations. Moreover, any other financial or other business arrangement between WCHS and other health care professionals or providers must be structured to comply with all applicable state and federal laws and regulations.

If questions arise regarding whether a proposed business arrangement, financial arrangement, or contract is in compliance with federal or state law, an employee is required to seek guidance from the Compliance Officer who in turn may seek appropriate guidance from legal counsel.

BILLING AND CLAIMS; COST REPORTS

WCHS has an obligation to its clients, third party payers and the state and federal government to exercise diligence, care and integrity when submitting claims for payment. The right to bill the Medicaid program carries a responsibility that may not be abused. WCHS is committed to maintaining the accuracy of every claim it processes and submits. Each of the individuals responsible for entering charges and codes is expected to monitor compliance with applicable billing rules. Any false, inaccurate, or questionable claims should be reported immediately to the employee's supervisor or the Compliance Officer.

False billing is a serious offense. Medicaid rules prohibit knowingly and willfully making or causing to be made any false statement or representation of the material fact in an application for benefits or payment. It is also unlawful to conceal or fail to disclose the occurrence of an event affecting the right to payment with the intent to secure payment that is not due.

With respect to the submission of claims to the Medicaid program, it is WCHS policy that claims must: (1) be accurate and timely submitted, (2) be only for items or services that (a) are medically necessary, (b) fall within the coverage guidelines contained in applicable laws, rules and regulations, and (c) are documented in the clients medical record. In this regard:

1. Prior to submitting a claim for payment, it is necessary to verify that all documentation for services reflected on the claim, such as physician orders and prior approvals, are available in a proper and timely manner.
2. Claims may only be submitted when appropriate documentation supports the claim and only when such documentation is maintained and available for audit and review.
3. Documentation which serves as the basis for a claim must be appropriately organized in legible form so that such documentation may be audited and reviewed.
4. Diagnosis and procedures reported on reimbursement claims must be based on the medical record and other documentation.
5. Documentation necessary for accurate code assignment must be made available to all employees with coding responsibility.
6. Compensation for billing department coders and billing consultants shall not provide for any financial incentive to improperly code claims.

With regard to the filing of cost reports, it is WCHS policy that all Medicaid cost reports must be prepared utilizing generally accepted accounting principles based upon documents and reports that are maintained in WCHS day to day business. Cost reports must document only those costs that WCHS employees and/or agents believe in good faith are allowable. Employees and agents must provide accurate

and complete documentation and reports in connection with the preparation of cost reports.

With regard to claim submissions and cost reporting, the following conduct is specifically prohibited:

1. Claims for payment or reimbursement of any kind that are false, fraudulent, inaccurate or fictitious.
2. Falsified medical records, time cards or other records used as the basis for submitting claims.
3. For services that must be coded, use of a code that does not accurately describe the documented service when there is a more accurate code that could have been used. This includes post-dating orders or signatures. Late entries should include an explanation of reason for delay in entry.
4. Bills submitted to Medicaid or applicable insurance plan for items or services which are known are not covered by Medicaid or applicable insurance plan.
5. Filing claims for the same item or service to more than one payer source whereby WCHS will receive duplicate or double payments.
6. Submission of claims without the availability of adequate documentation.
7. Falsification of any report or document used to document the cost of utilization of services by payer source.
8. Failure to report a known error or inaccuracy in any cost report or underlying document used to prepare a cost report.
9. Recording inappropriate, inaccurate, or non-allowable costs on a cost report.

Any employee who discovers an error or inaccuracy in any claim for payment for health care services or in any cost report that has been submitted or will be submitted should alert his or her supervisor, the Director or the Compliance Officer.

Audit and Monitoring Procedures: To assist in efforts to detect and prevent fraud, waste, and abuse, WCHS conducts regular audit and monitoring procedures, both internally and externally when appropriate. Said audits will be utilized to identify compliance problems and correct those problems promptly and thoroughly, identifying potential compliance problems and instituting preventive measures, implementing procedures, policies and systems as necessary to reduce potential for recurrence.

Corrective Action: If billing errors or requirement violations are discovered, WCHS will take steps to prevent any further similar violations. To the extent possible, WCHS shall take necessary steps to ensure any necessary refunds of any overpayments from third party payers are promptly completed. Corrective actions may include enhancing systems, providing feedback and education and if warranted, imposing disciplinary measures.

CONFIDENTIALITY

All WCHS employees possess sensitive, privileged information about clients and their care. Clients properly expect that this information will be kept confidential. WCHS takes very seriously any violation of their confidentiality. Discussing any client's medical condition or providing any information about them to anyone other than WCHS personnel who need the information or other authorized persons will result in disciplinary action. Employees are not to discuss clients outside of WCHS.

WCHS is required to maintain the confidentiality of each client's medical record. In this regard, medical records may not be released except with the consent of the client or in other limited circumstances as required by law. Special confidentiality requirements apply with regard to medical records relating to HIV infection and AIDS. Medical records should not be physically removed from WCHS, altered or destroyed. Employees who have access to medical records must exercise their best efforts to preserve their confidentiality and integrity and no employee is permitted access to the medical record of any client without a legitimate reason for doing so and proper authorization. If a question arises as to the permissibility of the release of a client's medical record or any information contained therein, the employee should seek guidance from the employee's supervisor, the Director of Nursing or the Compliance Officer. WCHS employees must comply with applicable regulations set forth in the Health Insurance Portability and Accountability Act (HIPAA).

Employees should respect WCHS assets as they would their own. No employee shall divulge to unauthorized persons, either during or after their employment, any information of a confidential nature connected with the business of WCHS.

CODE OF CONDUCT/ETHICS

All WCHS employees shall comply with Warren County Code of Ethics and Code of Conduct in accordance with Warren County Corporate Compliance Program policies.

CONFLICTS OF INTEREST

No employee should place him or herself or allow him or herself to be placed in a situation where the employee's personal interests might conflict with the interests of WCHS. WCHS recognizes and respects an individual employee's right to invest or participate in activities outside of his/her employment provided that these in no way conflict with WCHS interests or welfare and do not interfere with the employee's responsibilities to WCHS or the effectiveness of the employee's job performance.

EDUCATION AND TRAINING

To ensure all employees are familiar with their responsibilities under WCHS Compliance Program, WCHS has a written policy for the training of all employees, contractors or agents of the entity on the Federal False Claims Act (31 USC 3729-33). All affected employees and persons associated with WCHS including governing body members will be required to participate in any initial or periodic training sessions as determined by the Compliance Officer. Additionally, any periodic training sessions will also be required as determined by the Compliance Officer, for employees of certain departments with responsibilities for billing and coding or any other responsibilities that the Compliance Officer determines appropriate for periodic training. Such training shall be made a part of the orientation for a new employee, appointee or associate, and governing body members.

The Compliance Officer will distribute in writing and/or post in conspicuous places, any modifications of or amendments to the Compliance Manual. The Compliance Officer will also provide employees with written explanations of any substantial changes in the Compliance Manual or, if the Compliance Officer determines that written materials are insufficient, interim training sessions will be conducted.

Employees will be provided periodic information about WCHS Compliance Program, changes in applicable laws or ethical standards that may affect an employee's responsibilities through written memoranda, periodic training sessions or other appropriate forms of communication.

REPORTING REQUIREMENTS

A. Reporting

It is the responsibility of every employee to report any known instances of or reasonable suspicions of any violation of applicable state or federal law, ethical standards or WCHS policies, including the policy statements contained in this manual. To report a suspected violation, an employee is required to notify, either verbally or in writing, the Compliance Officer or the employee's immediate supervisor. Any supervisory staff personnel receiving a report of a suspected violation is required to immediately notify the Compliance Officer. If the suspected violation involves the employee's immediate supervisor, the employee should make the report directly to the Compliance Officer. If the suspected violation involves the Compliance Officer, the report should be made directly to WCHS Director. An employee may make a report of a suspected violation anonymously. Failure to report a suspected violation may result in disciplinary action.

B. Confidentiality:

To the extent permissible, WCHS shall treat all reports of suspected violations of Standards as confidential. However, it must be recognized that under certain circumstances the name of the individual making the report will be communicated to the Compliance Officer, if the report is made originally to the employee's supervisor, to an individual responsible for conducting an investigation of the suspected violation or to a governmental agency investigating any such suspected violation. Any such disclosure will only be made only on a need to know basis.

C. Investigations:

It is important to the integrity of WCHS operation that all suspected violations of Standards be thoroughly reviewed and investigated so that appropriate action can be taken as necessary. WCHS will promptly and thoroughly investigate any suspected violation and take appropriate disciplinary action if warranted. Investigations may be conducted internally by the Compliance Officer or externally by either accountants or lawyers engaged by WCHS. Employees are required to cooperate with the individual or individuals conducting an investigation of a suspected violation. Such cooperation may involve being interviewed by the individual or individuals conducting the investigation or supplying such individual or individuals with requested documentation. Failure to cooperate in an investigation of a suspected violation may result in disciplinary action being taken.

D. Non-Retaliation:

To ensure employee cooperation, neither WCHS nor its respective employees shall take any retaliatory action or retribution against any employee who has submitted a report of a suspected violation or who has participated in an investigation of a suspected violation. Any employee who takes retaliatory action or retribution against another employee who has either reported a suspected violation or participated in an investigation of a suspected violation will be subject to disciplinary action.

DISCIPLINARY PROCEDURES

All employees and professional staff members are required to comply with applicable state and federal law, ethical standards and WCHS policies, including the policy statements contained in this manual (hereinafter collectively "Standards"). Any employee or professional staff member who violates any of the foregoing Standards will be subject to disciplinary action, up to and including termination of employment.

Disciplinary action will be taken against an employee or professional staff member who:

- A. Authorizes or participates directly in a violation of a Standard.
- B. Deliberately fails to report a violation of a Standard.
- C. Deliberately withholds relevant and material information concerning a violation of a Standard.
- D. Deliberately fails to cooperate in an investigation of a suspected violation of a Standard.
- E. Retaliates or seeks or causes retribution against any employee or professional staff member who has either reported a suspected violation of a Standard or participated in an investigation of a suspected violation of a Standard.
- F. Fails to participate in required training programs.

Disciplinary action may also be taken against any supervisory personnel who directs or approves an employee's actions which result in a violation of a Standard, is aware that an employee's actions which violate a Standard but fails to take appropriate corrective action or who otherwise fails to exercise appropriate supervision.

Disciplinary action may include oral or written warning, probation, suspension, demotion, termination from employment or suspension. Disciplinary action will be taken in accordance with WCHS personnel policies and procedures, county laws, and Civil Service requirements. Disciplinary action will be taken on a fair, equitable and consistent basis. Disciplinary action will be appropriate to the level of the employee's culpable conduct, that is, the more serious the level of culpable conduct (intentional conduct or reckless non-compliance) will result in more significant disciplinary action. Notwithstanding the foregoing, this statement is not a guaranty of progressive discipline and WCHS reserves the right to terminate an employee at any time for any lawful reason.

Notice of Privacy Practices

This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

We at Warren County Health Services are committed to safeguarding the confidentiality of your protected health information. This notice describes the practices of our facilities and programs.

We are required by law to maintain patient privacy. We will use and disclose your information only as described in this notice.

What Is Protected Health Information?

Protected health information is any data we create or receive that relates to your past, present or future health care or medical condition that may be used to identify you. Protected health information includes written information such as your medical chart or billing data. It also includes information that is disclosed orally.

Typical Uses and Disclosures

Typically, we will use or disclose your protected health information for the following purposes, or to the following persons:

For Treatment

For example, we will allow your physician or nurse to access your medical record for the purpose of treating you. Others involved in your care, such as laboratory technicians, a consulting physician or a social worker, may also see your information.

For Payment

For example, we may give your health insurer enough information about your condition and treatment to support its payment for your care.

For Health Care Operations

For example, we may review your information to evaluate the performance of our staff or to confirm our compliance with federal and state laws and regulations.

To a Warren County Health Services Affiliate

We may share your protected health information among Warren County Health Services affiliates named in this notice for treatment, payment and health care operations purposes.

To a Business Associate

We may disclose information to a person or entity we contract with to perform some of our business functions - for example, a billing service or attorney.

To You

We may disclose information to you or to someone authorized to act on your behalf.

To Family and Friends Involved in Your Care

We may disclose information about you to a friend or family member who is involved in your medical care, or paying for such care. You have a right to request that your information not be shared with some or all of your family or friends.

For Treatment Reminders and Alternatives

We may contact you to remind you of appointments you've scheduled with us. We may also use or disclose your information to provide you with information about treatment alternatives or other health-related benefits and services that may be of interest to you.

Less Typical Uses and Disclosures

Less typically, we may use or disclose your protected health information in special situations set forth in federal and state laws, such as the following:

Required by Law

We may use or disclose your protected health information when we are required by law to do so, such as to comply with a court order.

Public Health

For example, we may disclose such information to a public health authority that is authorized to receive such information for the purpose of controlling disease, injury or disability.

Abuse or Neglect

We may disclose your protected health information to a public health authority that is authorized by law to receive reports of child abuse, elder abuse or neglect. In addition, if we believe that you have been a victim of abuse, neglect or domestic violence, we may disclose your protected health information to the governmental entity or agency authorized to receive such information.

Health Oversight

We may disclose your information to a health agency for its oversight activities such as audits, investigations, inspections, licensure or disciplinary actions.

Legal Proceedings

We may disclose protected health information in the course of any judicial or administrative proceeding, in response to an order of a court or administrative tribunal or, in certain circumstances, in response to a subpoena, discovery request or other lawful process.

Law Enforcement

We may disclose protected health information for law enforcement purposes, including disclosures in response to limited information requests for identification and location purposes, disclosures pertaining to victims of a crime, and disclosures about persons who have died.

Coroners, Funeral Directors and Organ Donation

We may disclose protected health information to a coroner, medical examiner or funeral director to permit them to carry out their functions. Protected health information may be used and disclosed for organ, eye or tissue donation purposes.

Health or Safety Threat

We may disclose your protected health information if we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. We may also disclose protected health information if it is necessary for law enforcement authorities to identify or apprehend an individual.

Specialized Governmental Functions

We may use or disclose protected health information for specialized governmental functions, such as disclosing information about a member of the armed services to the military to assure the proper execution of a military mission, or disclosing information about inmates to a correctional facility for security or other important purposes.

Workers' Compensation

Your protected health information may be disclosed to comply with workers' compensation laws and other legally-established programs.

Uses and Disclosures with Your Authorization

We can use or disclose protected health information for any other purpose, if you give us your written, signed authorization for that specific purpose. For example, you may give us an authorization to give information to a prospective employer as part of a pre-employment physical. You may revoke any authorization you previously signed.

The following uses and disclosures of protected health information, among others, will generally require your authorization:

- Uses and disclosures of psychotherapy notes
- Uses and disclosures for marketing purposes
- The sale of protected health information

Specially Protected Information

Separate federal and state laws provide special protection to the following health information:

- Drug and alcohol treatment information
- Genetic information
- HIV/AIDS information
- Mental health treatment information

We will protect such information as required by law, and we may not be able to use or disclose such information to the same extent as we can with other protected health information.

Your Rights

Under the Notice of Privacy Practices, you have the following rights.

- To obtain and inspect a copy of your protected health information that we maintain in a medical or billing record for as long as we maintain the record. However, under federal and state law, you may not inspect or copy the following records: information compiled in reasonable anticipation of, or use in, a civil, criminal, or administrative action or proceeding; and, protected health information that is subject to law that prohibits access to protected health information. In some circumstances, you may have a right to have this decision reviewed.

- To ask us not to use or disclose any part of your protected health information for the purposes of treatment, payment or health care operations. You may also request that any part of your information not be disclosed to family members or friends who may be involved in your care or for notification purposes as described in this Notice of Privacy Practices. Your request must state the specific restriction requested and to whom you want the restriction to apply.

We are not required to agree to a restriction that you may request. If we believe that it is in your best interest to permit use and disclosure of your protected health information, it will not be restricted. But if we do agree to the restriction, we may not use or disclose your information in violation of that restriction except for emergency treatment. With this in mind, please discuss any restriction you wish to request with your treating health care professional.

- To request a restriction on disclosure of your information to a health plan (for purposes of payment or health care operations) in cases where you paid out of pocket, in full, for the items received or services rendered.

- To request to receive confidential communications from us by alternative means or at an alternative location. We will accommodate reasonable requests, but we may ask you how payment will be handled or to give an alternate address or other method of contact. We will not request an explanation from you about your request. Please make this request in writing to the Privacy Contact Official (see list at the end of this notice).

- To request an amendment of protected health information about you in our records for as long as we maintain the record. In certain cases, we may deny your request. If we do, you have the right to file a statement of disagreement with us and we may prepare a rebuttal to your statement. We will provide you with a copy of any such rebuttal. Please contact our Privacy Contact Official if you have questions about amending your medical record.

- To receive an accounting of certain disclosures we have made, if any, of your protected health information. This right applies to disclosures for purposes other than treatment, payment or healthcare operations as described in this Notice of Privacy Practices. It excludes disclosures we may have made to you, for a facility directory, to family members or friends, or for notification purposes. You have the right to receive specific information regarding these disclosures. The right to receive this information is subject to certain exceptions, restrictions and limitations.

- To be notified of a breach of your unsecured information.

- To obtain a paper copy of this notice from us, upon request, even if you have agreed to accept this notice electronically.

- To complain to us or to the Secretary of Health and Human Services if you believe your privacy rights have been violated by us. You may file a complaint with us by notifying the Privacy Contact Official identified in this notice. We will not retaliate against you for filing a complaint.

Service Delivery Sites

This notice applies only to services delivered by or at sites operated by Warren County Health Services.

Health Information Exchange

Warren County Health Services may store your health records electronically with Health Information Exchange of New York (HIXNY). If you sign a separate written consent, or in limited emergency circumstances, other health care providers will be able to access your information from HIXNY for the purpose of treating you. HIXNY has implemented administrative, physical and technical safeguards to protect the confidentiality and integrity of your information.

Privacy Contact Officials

If you have any questions or concerns, or require assistance in exercising your privacy rights, you may contact the Privacy Contact Official for the Warren County Health Services facility at 518-761-6415 for Home Health Care related Issues or 518-761-7580 for Public Health related matters.

More About This Notice

This notice is effective September 23, 2013. We will provide you with a copy of this notice upon request. We may periodically change the terms of our notice at any time. The new notice will be effective for all protected health information that we maintain at that time.

Warren County Board of Supervisors

RESOLUTION NO. 242 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRAYMER, LEGGETT, LOEB, DIAMOND, HYDE, MAGOWAN AND SOKOL

AMENDING RESOLUTION NO. 803 OF 2010, ADOPTING THE WARREN COUNTY CORPORATE COMPLIANCE POLICY, TO APPROVE AMENDMENTS TO THE POLICY

WHEREAS, pursuant to Resolution No. 803 of 2010, the Warren County Board of Supervisors adopted the Warren County Corporate Compliance Policy as required by federal and state agencies responsible for enforcement of Medicare and Medicaid laws and regulations applicable to health care providers, and

WHEREAS, the County Administrator has requested that the policy be amended to name the Human Resources Director as the County's Corporate Compliance Officer, now, therefore be it

RESOLVED, that the Warren County Corporate Compliance Policy, previously adopted by Resolution No. 803 of 2010, be, and hereby is amended as outlined above to name the Human Resources Director as the County's Corporate Compliance Officer, and be it further

RESOLVED, that the updated Warren County Corporate Compliance Policy annexed hereto as Schedule "A" be, and hereby is adopted by the Warren County Board of Supervisors.

SCHEDULE “A”

**WARREN COUNTY
CORPORATE COMPLIANCE
STATEMENT OF POLICY:**



Warren County is committed to providing quality health care in compliance with all applicable laws, rules, regulations and other directives of federal, state and local governments and agencies.

Warren County recognizes that the federal and state agencies responsible for enforcement of Medicare and Medicaid laws and regulations applicable to healthcare providers have required the development and implementation of formal compliance programs by health service providers.

Compliance programs which are consistent with federal and state laws and regulations are designed to promote the highest level of ethical and lawful conduct throughout the County government to combat health care fraud and abuse.

Warren County is committed to the prevention and detection of any fraud, waste and abuse related to Federal and State health care programs (Medicaid, Medicare and other governmental payer programs), and the protection of any “whistle blower”.

This policy is not intended to replace other compliance practices, rules or procedures defined elsewhere in any County or departmental policies and procedures, standard operating procedures manuals, standard operating procedures, local laws, etc.

SCOPE:

This policy applies to all Warren County employees, contractors, medical staff, volunteers and vendors.

PROCEDURE:

1. WRITTEN POLICIES, PROCEDURES AND STANDARDS OF CONDUCT:

It is the policy of Warren County to require employees to comply with provisions of the Warren County Code of Ethics, their department compliance program, as well as any other applicable protocols, standards, policies and procedures established or adopted by the County or department.

County departments will develop and distribute written standards of conduct as well as clinical, financial and administrative policies on the provision of service by which all employees are expected to comply. The standard of conduct is for the employee to follow all department specific policies and procedures while performing their job duties.

Divisions and departments will develop policies and procedures addressing the non-employment or retention of excluded individuals or entities and the enforcement of appropriate disciplinary action against employees

or contractors who have violated corporation compliance policies and procedures, applicable statues, regulations, federal, state or private payor healthcare requirements.

The County prohibits the knowing submission of a false claim for payment in relation to a Federal or State funded health care program. The County encourages any employee who is aware of or reasonably suspects the preparation or submission of a false claim or report or any other potential fraud, waste, or abuse related to a Federally or State funded health care program to report such information to his or her supervisor, department compliance officer or to the County's Compliance Officer. Any employee who reports such information will have the right and opportunity to do so anonymously and will be protected against retaliation for making the report. The County commits itself to swiftly and thoroughly investigate any reasonably credible report of fraud, waste or abuse or any reasonable suspicion thereof through the County compliance program. The County retains the right to take appropriate action against an employee or vendor who has participated in a violation of any applicable law or this Policy.

2. COMPLIANCE OFFICER AND COMPLIANCE COMMITTEE:

Warren County's Corporate Compliance Officer is designated as the Warren County Human Resources Director ("County Compliance Officer"). The County Compliance Officer will serve as the focal point for compliance activities and be responsible for oversight of the development, implementation and operation of the compliance program policies and procedures. The County's Compliance Officer will report quarterly to the County Administrator and report annually to the Board of Supervisors.

There shall be established a County Compliance Committee , whose membership will consist of the County Compliance Officer as Chairman, and department compliance officers as members. The Committee will meet quarterly to review and update issues, protocols and ongoing compliance program requirements.

Department heads will designate a department compliance officer to ensure compliance with department specific policies. Compliance issues detected will be brought to the attention of the department compliance officer. Department compliance officers will also work cooperatively with the County Compliance Officer in meeting compliance obligations, requirements and responsibilities.

3. TRAINING AND EDUCATION:

All employees will be oriented on the first day of employment in accordance with County and Department Policies and Procedures.

During the orientation process new employees will be oriented to the department specific polices and procedures. On an annual basis the departments will train employees on corporate compliance department policies and procedures.

Each department will adopt a process whereby employees will certify that they have received, read and will abide by department specific corporate compliance policies and procedures at orientation, annually and as revised and/or amended.

4. EFFECTIVE LINES OF COMMUNICATION:

Each department's Compliance Officer will adhere to an open door policy and encourage employees to discuss any issues in regards to abuse and fraud. Employees are assured of non-retaliation and confidentiality.

5. ENFORCEMENT THROUGH DISCIPLINE:

Failure to adhere to compliance standards and department policies will result in disciplinary action up to and including termination.

6. CONDUCTING INTERNAL MONITORING AND AUDITING TO PREVENT FRAUDULENT ACTIVITIES:

Each department will develop internal monitoring and auditing systems to reduce fraud, waste and abuse, enhance operational functions, improve the quality of health care services and decrease costs.

The department and/or County will thoroughly and thoughtfully investigate in a timely and appropriate manner compliance issues that are brought to their attention. Response and corrective action to any findings will be prompt and thorough.

Reports may be anonymous and confidentiality will be maintained.

To report a suspected issue of fraud or abuse the employee may report verbally, by phone or in person to the Department Compliance Officer or to the County Compliance Officer.

After completion of any investigation, the department compliance officers and County Compliance Officer will report applicable findings to the Personnel Officer, County Administrator or law enforcement officer. Following investigation of complaints, disciplinary action will be in accordance with any applicable collective bargaining agreements and/or Civil Service Law Section 75.

Warren County Board of Supervisors

RESOLUTION NO. 243 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, LEGGETT, BRAYMER, WILD, MCDEVITT, DIAMOND, DICKINSON, GERAGHTY, MAGOWAN, SOKOL AND DRISCOLL

RESOLUTION SUPPORTING THE RESOLUTION OF THE ADIRONDACK ASSOCIATION OF TOWNS & VILLAGES SUPPORTING THE EXEMPTION OF THE NEW YORK STATE OWNED FORMER CAMP GABRIELS CORRECTIONAL FACILITY PROPERTY LOCATED IN THE TOWN OF BRIGHTON, FRANKLIN COUNTY, NEW YORK FROM THE “FOREVER WILD” PROVISION OF THE CONSTITUTION OF THE STATE OF NEW YORK

WHEREAS, the Adirondack Association of Towns & Villages adopted Resolution No.4 of 2018 Supporting the exemption of the New York State Owned Former Camp Gabriels Correctional Facility Property Located in the Town of Brighton, Franklin County, New York from the “Forever Wild” Provision of the Constitution of the State of New York, and is requesting that Warren County join in supporting the resolution, a copy of which is attached hereto as Schedule “A”, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby supports the Adirondack Association of Towns & Villages in supporting the exemption of the New York State Owned Former Camp Gabriels Correctional Facility Property Located in the Town of Brighton, Franklin County, New York from the “Forever Wild” Provision of the Constitution of the State of New York, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to the New York State Association of Counties, Governor Andrew M. Cuomo, Senator Elizabeth O’C. Little, Assemblyman Daniel G. Stec, the Intercounty Legislative Committee of the Adirondacks and the Adirondack Association of Towns & Villages.

SCHEDULE “A”

ADIRONDACK ASSOCIATION OF TOWNS & VILLAGES

Resolution No. 4 of 2018

Supporting the exemption of the New York State Owned Former Camp Gabriels Correctional Facility Property Located in the Town of Brighton, Franklin County, New York from the “Forever Wild” Provision of the Constitution of the State of New York

WHEREAS, the former Camp Gabriels Correctional Facility was closed by New York State in 2009 and has been vacant and unused since that time; and

WHEREAS, when the State took possession of the original 220.9 acres in 1982, they did add 129.2 acres of the property to the forest preserve; and

WHEREAS, the 91.7 acres which is Camp Gabriels was already developed and has a long history of occupation and extensive use since the late 19th century and is inconsistent with the “forever wild” provision; and

WHEREAS, as stated in the deed, those 91.7 acres are inconsistent with the “forever wild” provision, as they contain 55 buildings, roads, a self-contained waste water treatment plant, heating plant, wells and water distribution system and a back-up generator capable of keeping the facility secure in the event of a North Country power outage; and

WHEREAS, New York State conducted several auctions to sell the Camp Gabriels property; and

WHEREAS, a prospective private purchaser was unable to complete the purchase or obtain title insurance because this property is located within the Adirondack Park and potentially subject to the “forever wild” provision in the State Constitution; and

WHEREAS, it is in the best interests of economic development in the Adirondack North Country communities that this property and facility be unencumbered for private purchase and put to good use in the region, now, therefore, be it NOW THEREFORE, BE IT

RESOLVED, that the Adirondack Association of Towns & Villages hereby supports a state side referendum by the voters of New York State that this property be unencumbered for private purchase, exempt from the “forever wild” clause in the State Constitution, and not be added to the forest preserve.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to NYS Senators Elizabeth Little, Joseph Griffo, James Tedisco; NYS Assembly Members Marc Butler, Dan Stec, Billy Jones and Ken Blankenbush; Governor Andrew Cuomo; Basil Steggos, DEC Commissioner; Senate Majority leader and IDC leader; Assembly Speaker and Majority Leader; Senate and Assembly Encon Chairs; Peter Shrope, Town of Brighton/Franklin County Supervisor, Association Of Towns, InterCounty Legislative Committee of the Adirondacks.

Motion: Bill Farber

Second: Ron Moore

Unanimous.

Warren County Board of Supervisors

RESOLUTION NO. 244 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, LEGGETT, BRAYMER, WILD, MCDEVITT, DIAMOND, DICKINSON, GERAGHTY, MAGOWAN, SOKOL AND DRISCOLL

SUPPORTING NEW YORK STATE SENATE BILL S8210, AN ACT TO AMEND THE EXECUTIVE LAW, IN RELATION TO THE COST OF MAINTENANCE AND OPERATIONS OF VETERANS' SERVICE AGENCIES

WHEREAS, New York State Senate Bill S8210 (same as A10714), seeks to provide additional financial resources to County Veteran Service Agencies, and

WHEREAS, every County is mandated to have a Veteran Service Agency; however, the amount of funding provided to these agencies is minimal and limited to the funding received from State and County government, and

WHEREAS, Senate Bill S8210 amends Subdivision l of Section 359 of the Executive Law to remove the fifty percent cap on total expenditures for maintenance and operation that can be reimbursed by the State, while increasing the maximum reimbursement to Twenty Thousand Dollars (\$20,000), and

WHEREAS, the Legislative & Rules Committee has recommended that Warren County support this legislation, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors supports Senate Bill S8210/A10714, which seeks to provide additional financial resources to County Veteran Service Agencies, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senator Elizabeth O'C. Little, Assemblyman Daniel G. Stec, the New York State Association of Counties and the Intercounty Legislative Committee of the Adirondacks.

Warren County Board of Supervisors

RESOLUTION NO. 245 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, LEGGETT, BRAYMER, WILD, MCDEVITT, DIAMOND, DICKINSON, GERAGHTY, MAGOWAN, SOKOL AND DRISCOLL

SUPPORTING GOVERNOR CUOMO'S PROGRAM BILL TO AMEND THE ENVIRONMENTAL CONSERVATION LAW IN RELATION TO PROHIBITING PLASTIC CARRY OUT BAGS

WHEREAS, Governor Cuomo has proposed a program bill to amend the Environmental Conservation Law to impose a ban on plastic carry out bags in New York State, and

WHEREAS, Section 1 of this bill would add a new section 27-2708 to the Environmental Conservation Law (ECL) to prohibit, with certain exemptions, the provision of plastic carry out bags to customers at the point of sale beginning on January 1, 2019, and

WHEREAS, Section 2 of this bill would amend Section 27-2713 of the ECL, with respect to preemption of local laws, ordinances, rules, or regulations in relation thereto, and

WHEREAS, the Legislative & Rules Committee has considered and approved Governor Cuomo's proposed program bill as outlined above, now, therefore be it

RESOLVED, that the Warren County Board of Supervisors hereby supports Governor Cuomo's program bill to amend the Environmental Conservation Law relating to prohibiting plastic carry out bags, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senator Elizabeth O'C. Little, Assemblyman Daniel G. Stec, the New York State Association of Counties and the Intercounty Legislative Committee of the Adirondacks.

Warren County Board of Supervisors

RESOLUTION NO. 246 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LOEB, LEGGETT, SOKOL, HYDE, MAGOWAN, HOGAN, WILD, DRISCOLL AND VACANT

AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE WARREN COUNTY TOURISM DEPARTMENT AND WARREN COUNTY INFORMATION TECHNOLOGY DEPARTMENT FOR COMPUTER SUPPORT SERVICES

RESOLVED, that the Warren County Board of Supervisors hereby authorizes a Memorandum of Understanding between the Warren County Tourism Department and the Warren County Information Technology Department for the provision of computer support services commencing on January 1, 2018, in an amount not to exceed Twenty-Two Thousand Dollars (\$22,000) per year, to be billed in quarterly installments of Five Thousand Five Hundred Dollars (\$5,500) and, be it further

RESOLVED, that this Memorandum of Understanding will continue under the same terms and conditions unless terminated by either party, contingent on the availability of funding in the Tourism Department budget, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 247 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LOEB, LEGGETT, SOKOL, HYDE, MAGOWAN, HOGAN, WILD, DRISCOLL AND VACANT

AUTHORIZING INTERMUNICIPAL AGREEMENTS BETWEEN WARREN COUNTY AND PARTICIPATING MUNICIPALITIES IN WARREN COUNTY TO UTILIZE THE ANTI-VIRUS ACCOUNT CURRENTLY ADMINISTERED BY WARREN COUNTY INFORMATION TECHNOLOGY

WHEREAS, the Director of Warren County Information Technology has extended an opportunity for the municipalities in Warren County to utilize the anti-virus account currently administered by Warren County Information Technology as a cost savings measure for the municipalities, and

WHEREAS, the Support Services Committee has considered and approved the request, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an Intermunicipal Agreement with each participating local municipality to allow them to utilize the anti-virus account currently administered by Warren County Information Technology as a cost savings measure for the municipalities, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 248 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LOEB, LEGGETT, SOKOL, HYDE, MAGOWAN, HOGAN, WILD, DRISCOLL AND VACANT

APPROVING REVISIONS TO THE WARREN COUNTY PURCHASING POLICY

WHEREAS, the Purchasing Agent for Warren County has updated and clarified the Warren County Purchasing Policy, and said revisions are indicated by brackets around material to be deleted and underlining new material on Schedule "A" annexed hereto, and the Support Services Committee has recommended that the same be advanced to the full Board of Supervisors for consideration, and

WHEREAS, the Warren County Purchasing Policy has been codified in the Warren County Plans and Policies in Chapter XI (section .001 to .090), now, therefore, be it

RESOLVED, that the proposed amended Purchasing Policy for Warren County, annexed hereto as Schedule "A", be and the same is hereby adopted as the official policy for Warren County, and be it further

RESOLVED, that any and all prior Purchasing Policies, Resolutions or parts thereof inconsistent with the amended Purchasing Policy are hereby repealed, except that the former Purchasing Policy, as amended, shall continue to apply to any purchases made under the former Policy and to those purchases started but not completed under said former Policy.

WARREN COUNTY

PURCHASING

POLICY

[2017] 2018

Purchasing Policy and Procedures Manual Index

SECTION I

Introduction Page 3

SECTION II

- A. Procedures Applicable to all Purchases
Regardless of Dollar Amount Page 4
- B. Procedures Specific to Each Type of Purchase Page 8
 - 1. Commodity/Equipment/Furniture Purchases Page 8
 - 2. Public Works Projects/Contracts Page 11
 - 3. Best Value Methodology Page 13
 - 4. Professional Services Page 14
- C. Exemptions Page 16
 - 1. Emergencies, ETA Services, Medical, etc. Page 16
 - 2. Sole Source/Single Source Page 17
 - 3. True Leases Page 18

SECTION III

- Purchase Orders Page 19
 - A. General Page 19
 - B. Blanket Purchase Orders Page 20
 - C. Emergency Purchase Orders Page 20
 - D. Purchase Order Checklist Page 20

SECTION IV

- Asset Management Page 21
 - A. Fixed Assets Page 21
 - B. Capital Assets Page 21

SECTION V

Transfer and Sale of Second Hand Equipment Page 22

SECTION VI

Purchasing Policy - General Conditions Page 23

SECTION I

I. INTRODUCTION

Goods and services must be procured in a manner so as to assure the prudent and economical use of public monies in the best interest of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Adopted by the Warren County Board of Supervisors as internal policies and procedures, this Purchasing Policy governs all procurement of goods and services required to be made pursuant to the competitive bidding requirements of General Municipal Law §103 and those goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding as per General Municipal Law §104-b.

The County of Warren is hereby authorized to make all purchases of necessary goods and services by any means legal within the State of New York and in compliance with all applicable laws, rules and regulations.

The responsibilities and authority for purchasing are assigned by the governing board to Julie Butler, Purchasing Agent, Jason Shpur, Deputy Purchasing Agent and [Danielle Parker], Amber Brownell, Purchasing Assistant. The keynote of any successful purchasing system is cooperation between the employees, Department Heads, staff, Auditor, Treasurer, and the governing board.

SECTION II

II. PURCHASING PROCEDURES

A. Procedures Applicable to all Purchases Regardless of Dollar Amount

Before making any purchase, the following steps must be taken.

1. Confirm that there isn't already a County bid for the item(s).
2. If there's no County bid, check Preferred Source Offerings in the following order:
 - a. Corcraft
New York State Department of Correctional Services
Division of Industries
550 Broadway, Menands, NY 12204
Ph: 518-436-6321
Fax: [518-472-1614] 518-436-6007
website: <http://www.corcraft.org>
 - b. [Industries for the Blind of New York State, Inc.]
NYS Preferred Source Program for People Who are Blind (NYSPSP)
[296 Washington Avenue Extension] 136 State Street, 2nd Floor
Albany, NY [12203-5346] 12207
Ph: [518-456-8671] 518-621-0605
Fax: 518-456-3587
website: <http://www.ibnys.org> <http://www.nyspsp.org>
 - c. New York State Industries for the Disabled, Inc.
[155 Washington Avenue, Suite 400] 11 Columbia Circle Drive
Albany, NY [12210] 12203
Ph: 518-463-9706
Fax: 518-463-9708
e-mail: administrator@nysid.org
website: <http://www.nysid.org>
 - [d. New York State Office of Mental Health
Buy OMH
44 Holland Avenue
Albany, NY 12229
Ph: 474-0121]

Items must meet the form, function and utility of the Department. Catalogs and guidelines may be obtained in the Purchasing Department. If the price from a Preferred Source is within 15% of the lowest quote and meets the specifications of the Department, the item must be purchased from the Preferred Source.

3. If the item/service is not available from a Preferred Source, search the New York State Office of General Services (NYS OGS) website (www.ogs.state.ny.us) for a State Contract. Purchases should be made through available State Contracts (OGS), or under County contract pursuant to Section 408-a of the County Law, and Subd 3 of General Municipal Law (hereinafter “GML”) §103 revised in 2013 to allow purchases of materials, equipment or supplies, or to contract for services through any county within the state, whenever such purchases are deemed by the Purchasing Agent to be in the best interest of the County.
4. If no State Contract is available, or you feel the County can obtain better pricing than State Contract, then Purchasing will proceed with a County bid or the Department may obtain quotes, depending on the dollar thresholds (see pages 8-15).
5. The County is also authorized to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, as authorized by the addition of Subdivision 16 as an amendment to GML §103, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein. The contract must be let in a manner that constitutes competitive bidding to the lowest responsible bidder, or on the basis of best value, “consistent with state law”, meaning in harmony with New York State Law, and made available for use by other governmental entities. Purchases made in accordance with GML §103(16) are not subject to the competitive bidding requirements of GML §103. The stated purpose of GML §103(16) is to reduce costs, and increase efficiencies. The prerequisites that must be met are as follows:
 - a. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. Therefore, there must be an underlying contract let by one of the listed governmental entities. Contracts developed for use by local governments that are let by private parties (e.g. a private company, association or not-for-profit corporation is the party awarding the contract to the vendor), and not by the United States or any agency thereof, any state or any other political subdivision or district therein, would not fall within the exception.
 - b. The contract must have been made available for use by other governmental entities. This means that the other governmental entity has taken steps to make its contract available for New York local governments by including a clause extending the terms and conditions of the contract to other governmental entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within the exception.
 - c. The contract must have been let in a manner that constitutes competitive bidding “consistent with state law”. “State law” refers to New York State’s bidding law applicable to its political subdivisions (GML §103 and related case law). Departments exercising the option to purchase under this exemption will be required to obtain background information on the procedures used to let the contract and, as necessary, consult with counsel, to determine whether this prerequisite is met.

RESOLUTION NO. 248 OF 2018

PAGE 7 OF 33

6. As allowed by law (see paragraph 5 above), the County has become a member of several National Cooperatives including: National Joint Powers Alliance (NJPA); US Communities; and National IPA/TCPN. The Purchasing Department utilizes these cooperatives on a regular basis in determining the best course of action for particular purchases. Vendors may reference one of these cooperatives in discussions with departmental employees. Purchasing should be consulted to confirm that the company is, in fact, a participating vendor.
- [6]7. Vendor numbers must be requested for each vendor receiving payment from Warren County. All requests for new or changed vendor numbers must be submitted to the Purchasing Department. Vendor numbers are necessary in order to complete a Purchase Order and must contain the following information:
- a. Correct and full name of the individual/organization
 - b. Remittance address for payment & phone number
 - c. Federal ID or Social Security Number
 - d. Reason for payment (so that Purchasing can identify 1099 status)

County Departments are responsible for obtaining W-9 forms from the vendors confirming that payment information provided to the County is valid. A W-9 form must be submitted with each new vendor request in order for a vendor number to be issued.

- [7]8. Prevailing Wages apply any time a vendor employs laborers, workmen or mechanics. Vendors are required to pay prevailing rates according to Article 8 of the New York State Labor Law, no matter what the dollar amount. Pursuant to Article 9 of the New York State Labor Law, prevailing wages must also be paid for building service contracts such as moving, landscaping, elevator maintenance, etc., for any contract exceeding \$1,500 per year. Owners/operators, who have no employees, are exempt and do not need to pay themselves Prevailing Wages. Certified payrolls must be provided by the Contractor to the applicable County Department, prior to submitting an invoice. The Certified Payroll forms are required to be kept on file by the Departments for which the contract applies. The form can be found at www.co.warren.ny.us/purchasing/forms.php

All prevailing wage schedules must be requested through the Purchasing Department prior to obtaining quotes or bids. All vendors must be provided with the New York State Department of Labor PRC number assigned to each individual project so that appropriate labor rates are included in their quotes/bids. If the contract is cancelled at any time, Purchasing must be notified in order to cancel the prevailing wage schedule for that project.

On occasion, the New York State Department of Labor, Bureau of Public Works, upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold monies due to a vendor. The original notice is forwarded to the Superintendent of the Department of Public Works, a copy is kept in Purchasing and a copy forwarded to the Treasurer's Office. These monies are held until notification is received from the Department of Labor on how they are to be disbursed.

Contractors and the applicable County Department must check prevailing wage schedules for each project on the 1st of each month. The Department of Labor posts corrections to each schedule (when applicable), and both parties must be informed of all updates to ensure proper payment to Contractor's employees, and for the purpose of checking certified payrolls.

New York State Office of General Services obtains a prevailing wage schedule for the State when awarding a State Contract. However, if the County uses the State Contract, the County is required to obtain a separate prevailing wage schedule specific to the County project.

It is the County's responsibility to confirm that the Prime Contractor has provided all sub-contractors with a copy of the prevailing wage schedule. A verified, signed statement must be obtained from each sub-contractor, certifying that they were provided with a copy of the schedule.

- [8]9. A contract is always required when a service is being provided to the County (regardless of dollar amount). Where appropriate, short form contracts are available. When determining the term of a contract, please take into consideration the nature of the procurement: What is the likelihood that the original term may be extended? Most contracts are capped at 3 years, with an initial one year term and two additional (optional) one year extensions. More involved contracts with larger investments by the Contractors may have longer terms which will be negotiated as part of the contract process.

In consultation with and in a form approved by the County Attorney, the Chairman of the Board of Supervisors (or the Vice-Chairman in his absence) shall have authority to execute contracts without the need for a Board Resolution for contracts under \$1,000 annually. The Department Head must provide the Chairman with their approval prior to execution of the contract. Contracts over \$1,000 annually shall require Board Resolutions unless blanket authority (by Resolution) has already been given to the Department.

- [9]10. Each set of Specifications will identify the person to which questions should be directed. This is a control mechanism so that all vendors fairly receive the same information relative to the Specifications. In the event the Purchasing Agent does not know the answer, he/she will contact the appropriate department to obtain the correct response. The appropriate information will then be distributed to the vendors in the form of a written addendum. Written addenda must be issued at least five (5) business days prior to the bid opening. If the five (5) day requirement is not met, the bid opening date will be changed in order to comply.

- [10]11. GML §103 makes it possible for the County to standardize on a particular type of material or equipment. A Resolution approved by the Department's standing committee and at least two-thirds majority of the Board of Supervisors, shall state that for reasons of efficiency or economy, there is a need for standardization. Such reasons may include, but are not limited to the following:

- a. Larger quantities of fewer items;
- b. More economical buying;
- c. Flexibility of inventory;
- d. Reduction of purchasing time;
- e. Lower departmental operating costs; and
- f. Reduced inventories

Adoption of such a Resolution does not eliminate the necessity for conformance to the competitive bidding requirements. Standardization restricts the purchase to a specific model or type of equipment or supply, but does not limit the vendors it can be purchased from.

- [11]12. Anticipate your needs! Once you have determined what you need, within the limitations of your

RESOLUTION No. 248 OF 2018

PAGE 9 OF 33

budget, contact Purchasing to help you develop the specifications for the quote or bid to get the best value possible for the expenditure of tax dollars. The key is time and preparation. Turn around time is dependant on many factors ranging from the complexity of the specifications, and the need for a pre-bid meeting and addendums to the number of bids and quotes currently in process with Purchasing. **Remember, poor planning does not move your request to the top of the list!**

[12]13. Warren County takes the position, consistent with County Law §369; the State Comptrollers Opinion 81-83 and Opinion 81-90; and good business sense, that prepayments should not be made using County funds.

[13]14. As standard business procedure, all County vendors are entitled to prompt payment. Invoices should be processed as soon after goods/services are obtained and in accordance to batch deadlines established by the County Auditor. **If the Auditor receives any claims for goods or services for which no Purchase Order was issued, the Purchasing Agent in conjunction with the County Auditor will have the authority to nullify the payment of such claim.**

[14]15. The Purchasing Department endeavors to aide in getting Departments the right material on time. There will be occasions when inferior goods or services are received or they are not received in a reasonable amount of time. If the problem cannot be resolved by the Department it should be reported to Purchasing as soon as possible. This can be done via e-mail or phone. Remember to include the vendors name, bid number, the problem you have with the order and your name and extension. Purchasing will contact the vendor and try to come to a resolution of the problem. If necessary the County Attorney's Office will be contacted for assistance.

[15]16. When developing specifications, it is understood that Departments may require the expertise of vendors. When consulting with vendors it must be clearly stated that their services, in no way, give them an advantage in the bidding or proposal process. Departments must be especially diligent in this situation to ensure that the specifications are not written in such a way that the consulting vendor is given such an advantage (i.e. writing the specifications so narrowly that only their company or firm can respond).

[16]17. When the County is seeking commodities, public works and/or professional services to be funded by New York State and/or Federal Grants, the Purchasing Department will actively and affirmatively solicit bids for supplies and/or contracts from qualified New York State certified MBEs or WBEs as more fully set forth in Warren County Resolution No. 635 of 2014. In the event the County receives Federal grant funding, Uniform Guidance provisions apply as required by CFR Title 2 Part 200, which are attached hereto as Appendix "A".

[17]18. P-Cards may be utilized on a limited basis for purchases in accordance with the Credit Card Policy adopted by the Board of Supervisors via Resolution No. 222 of 2015. Even when using a P-Card, procurements must be made in compliance with this policy.

B. Procedures Specific to Each Type of Purchase¹

1. Commodity/Equipment/Furniture Purchases

These purchases may be made without a Resolution of the Board of Supervisors to the extent your Department budgeted/planned for the same. Most often, purchases made under State Contract do not require quotes, however, there are instances where quotes or a mini-bid process are required. Please read each State Contract carefully to make sure all requirements are being met before making the purchase. Some vendors may offer GSA (federal) pricing to the County. Please note, this does not exempt the County from following State and/or County procurement requirements. The GSA pricing may be used as a quote, but additional pricing is still required in accordance with the guidelines set forth below. The only exceptions to this are for Information Technology purchases offered under GSA Federal Supply Schedule 70 and Law Enforcement products under Schedule 84. Additionally, some vendors may offer to sell products as part of an Alliance or Private Cooperative. If authorized by Board Resolution, the County may purchase through National Cooperatives such as, and by way of example, the National Joint Powers Alliance. Please contact the Purchasing Department if a vendor has offered pricing from a national cooperative in order to determine whether or not you have authority to proceed.

a. Competitive Bidding:

Legal notices are published in the official County newspapers, informing the public of the products or services being bid. The advertisement for bids shall contain a statement of the time and place where all bids will be publicly opened and read. All bid openings will be conducted at a public

¹Commodities vs. Public Works

Purchase contracts for materials, equipment and supplies involving an estimated annual expenditure of over \$20,000.00 and public works contracts involving over \$35,000.00 shall be awarded to the lowest responsible bidder only after public advertising soliciting formal sealed bids (GML §103). The term public works contracts would apply to those projects involving labor or both materials and labor where the labor portion exceeds the material component. Included in this category would be construction, paving, printing, and repair contracts.

Although not defined in GML §103, the Office of the State Comptroller has expressed the opinion that the term “contract for public work” encompasses contracts for services, or labor or construction by a “laborer, workman or mechanic service requiring wage rates”. When a bid involves acquisition of both goods and services, such as a commodity where installation is required, the contract should be viewed as a purchase for purposes of the competitive bidding monetary threshold only if the service portion is minor, incidental, or customarily provided by the vendor as a component of the purchase. Conversely, if the services are extensive, substantial, or involve specialized skills, so that the acquisition of the commodity is incidental to the work, the contract should be treated as a contract for public work (1987 Opns St Comp No. 87-46, p 70). For example, a contract for interior painting of a building involves both material and labor. In most cases, the labor component of the contract will be predominant, making it a contract for public work. In contrast, replacing a boiler or furnace, while involving both labor and equipment will, in most cases, consist primarily of a charge for the equipment, making it a commodity purchase.

In determining the necessity for competitive bidding and quoting, the aggregate cost of an item or commodity estimated to be purchased in a fiscal year would have to be considered. As a general guide, items of the same or similar nature which are customarily handled by the same vendor or kind of vendor should be treated as a single item for purposes of determining whether the dollar threshold will be exceeded, i.e. plumbing materials, electrical materials, lumber, hardware, etc. It is the responsibility of the Purchasing Agent and/or County Auditor to note where purchases over the course of a fiscal year are exceeding the bidding thresholds from the purchase orders submitted by the various departments.

Items purchased through Warren County bid or the New York State Office of General Services (OGS) on State Contract have already been subject to bidding and are therefore exempt. However, all political subdivisions must purchase from the vendor holding a current State or County contract, even if another vendor’s price is equal or lower, or said political subdivision must go to separate bid. The purchasing exemption made through the NYS OGS does not apply to a purchase from the State Contract vendor upon terms and conditions which materially or substantially vary from the State Contract. Used items are not exempt from bidding requirements except as noted in the exceptions section of this policy.

meeting and all interested parties may attend.

Where bids are required, the Department Head will assist the Purchasing Agent in the preparation of specifications and contracts. It is the responsibility of the Department Head to provide an adequate description of items needed so that the Purchasing Agent may be able to prepare the specifications to procure the desired commodity or service. The Purchasing Agent will send specifications to vendors from a list prepared jointly by the Purchasing Agent and the Department Head for all bids. Warren County does NOT accept faxed documents where original (ink) signatures are required, i.e. on proposal pages, Non-Collusive Certifications, Corporate Resolutions and Iran Divestment Act Certifications.

1. Commodity/Equipment/Furniture Purchases (continued)

When soliciting bids, a “Statement of General Conditions” will be included with all specifications and contracts provided to vendors. These General Conditions will be incorporated into contracts awarded for the purchase of commodities and the procurement of public works services.

Plan holders lists shall not be released prior to a bid opening as this may adversely affect the bids received and/or encourage collusion. Any requests received by a County department for this information are to be directed to Purchasing. Construction bids are an exception as allowing subs to contact bidders will most likely result in better pricing.

After the public opening of a sealed bid, a tabulation sheet shall be prepared, recording all pricing as submitted by the responding vendors. The appropriate Department(s) shall evaluate the bid responses and prepare a recommendation letter. When required, the using Department will request a Resolution to be presented to their standing committee and then sent to the Board of Supervisors for final award. The using Department shall also handle any renewal Resolutions through their standing committee submitted with the proper supporting documentation provided by Purchasing.

Resolutions for multi-department use are handled by the predominant Department and are submitted to the appropriate Committee for approval.

b. Bid Approval Process:

Bids for commodities will be awarded by the Purchasing Department after the following conditions are met:

- i. Sufficient appropriations are contained within the Department’s current budget (or after a budget transfer has been completed).
- ii. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the lowest bid meets the intent of the specifications.

NOTE: Commodity bids do not require a Resolution unless the lowest bid is not accepted.

c. Bidding Timeline:

The following represents the estimated amount of time required to complete a bidding cycle. Timelines for commodities and services will be different. Times may change depending on the

complexity of the project. Not all items pertain to all bids. The cycle does not begin until Purchasing is able to move your project to the top of its system. ie: first come, first served. If in doubt of the Purchasing workload at any given time, give the Purchasing Department a call to see how long it will be before you can get your project started. These are meant as a guideline, not a rule. Times may be shorter or longer depending on the circumstances.

1. Requisition or request for bid comes to Purchasing
2. Plus up to 15 working days until Purchasing begins bidding process
3. Plus 5 working days for Purchasing to review documents
4. Plus appropriate time to supply Purchasing with approved set of documents
5. Plus 1 working day for printing of documents (except large Construction projects)
6. Plus 5 working days for papers to publish Notice to Bidders (Saturdays only, Purchasing Department's deadline is the Monday before the Saturday publication)
7. Plus 5-20 working days for vendors to pick up bids
8. Plus 1 day for prebid meeting (if applicable)
9. Plus 1-3 working days for tabulation / evaluation by Purchasing Department
10. Plus 5 working days for each addendum
11. Plus 1 day for opening of bids
12. Plus a minimum of 7 calendar days for review of bid results by the using department or by consultants.
13. Get on the agenda for all appropriate committees including sending all necessary documentation, evaluations, resolutions, etc.
14. Plus appropriate days to receive all necessary committee endorsements
15. Board of Supervisors Meeting (this may require 2 meetings)
16. Plus 1 working day for "Notice of Award" to be mailed to successful vendor
17. Plus 10 calendar days to receive contracts, bonds etc.
18. Plus anticipated delivery time (best guess or check with vendors)

1. Commodity/Equipment/Furniture Purchases (continued)

Note: The amount of time required is dependant on the frequency the Board meets. Remember, if you miss the Board meeting you may delay the start of the project for up to a month.

d. Dollar limit guidelines:

- \$1 - \$3,000.99: Purchases can be made at the discretion of the Purchasing Department and/or Department Head. All equipment/furniture costing more than \$3000.00 aggregate, (ex. 10 chairs costing \$350 each for a total of \$3,500) requires 3 verbal quotes. For coding purposes, ANY equipment/furniture with a useful life of more than one year shall be a .2 object code regardless of cost.
- \$3,001 - \$10,000.99: Documented verbal quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from Purchasing BEFORE the item is ordered.
- \$10,001 - \$19,999.99: Formal written or fax quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from the appropriate committee, and a Board of Supervisors Resolution adopted BEFORE the item is ordered.

\$20,000 & Up: Sealed bids in conformance with GML §103.

COMMODITY PURCHASES	AS PER PURCHASING AND/OR DEPT. HEAD	3 VERBAL QUOTES	WRITTEN QUOTES	
			3	Other
Under \$3,000.99 (.2 & .4 codes)	X			
\$3,001 - \$10,000.99		X		
\$10,001 - \$19,999.99			X	
\$20,000 & up				Bid

e. Best Value Methodology - see section II(B)(3) for complete guidelines.

2. Public Works Projects/Contracts

A Board of Supervisors Resolution must be adopted to award a Public Works bid and authorize a contract and hence acquisition of the services. In some instances, Departments have been provided, by Resolution, with general authority to enter into Public Works contracts within certain parameters. On-call service contracts may be entered into for smaller projects (quotes or bids must be obtained on a per hour basis with a mark-up for materials). However, if a project is expected to exceed the public works threshold of \$35,000, then a bid specific to that project, or portions thereof, must be established. The \$35,000 threshold includes public works expenditures, as well as materials/commodities purchased as part of the public works project. However, if a project is undertaken by the County workforce, the commodity needed for that project shall be acquired pursuant to the County Purchasing Policy in accordance with the commodity thresholds. If contract labor or services should be needed for that project, the same will be independently bid or otherwise acquired pursuant to the County Purchasing Policy in accordance with the public works threshold. Regardless of the source of funding, i.e. grant funding or County funding, the County Purchasing Policy must be adhered to. (Please note that a “project” can be 2 or more construction projects lumped together for bidding purposes.)

a. Competitive Bidding:

See Paragraph II(B)(1)(a) above.

b. Bid Approval Process:

a. Bids for public works projects will be awarded by a Board of Supervisor’s Resolution after the following conditions are met:

RESOLUTION NO. 248 OF 2018

- i. Sufficient appropriations are contained within the Department’s current budget (or after a budget transfer has been completed).
- ii. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the bids received meet the intent of the specifications.

c. Bidding Timeline:

See Paragraph II(B)(1)(c) above.

d. Dollar limit guidelines:

\$1 - \$5,000.99: At the discretion of the Department Head.

\$5,001 - \$19,000.99: Written or fax quotes from at least 3 separate vendors, if available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

\$19,001 - \$34,999.99: Formal written or fax quotes from at least 4 separate vendors, if available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

\$35,000 & Up: Formal sealed bids according to GML §103.

2. Public Works Projects/Contracts (continued)

PUBLIC WORKS Wage rates and Board Approval Required	AS PER PURCHASING AND/OR DEPT. HEAD	WRITTEN QUOTES		
		3	4	Other
Under \$5,000.99	X			
\$5,001 - \$19,000.99		X		
\$19,001 - \$34,999.99			X	
\$35,000 & up				Bid

- e. **Best Value Methodology - see section II(B)(3) for complete guidelines.**

f. **Retainage:**

Retainage is a form of security for proper completion of the work under construction contracts. Under General Municipal Law section 106-b(1), the County will retain five percent of each progress payment to the Contractor if the Contractor is required to provide a performance bond and a labor and material bond in the full amount of the contract. In all other cases, the County will retain 10 percent of each progress payment. The contract dollar amount that will be subject to this provision will follow the capitalization threshold as follows:

<u>Contract Purpose</u>	<u>Retainage Threshold</u>
Land Improvements	\$25,000
Buildings & Improvements	\$50,000
Infrastructure	\$250,000

Exceptions - This policy does not apply to the following:

1. Unit price contracts where Contractors are paid per unit of work when complete and approved by the County.
2. Contracts subject to administrative requirements for Disadvantaged Business Enterprise Programs for Federally-assisted contracts.
3. Contracts which require only one payment in full after the County has reviewed and approved work.
4. Term agreement contracts which cover emergency work and work as needed during the term of the contract.

3. Best Value Methodology

General Municipal Law §103 now provides local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work (but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law) on the basis of best value. With the increased complexity of the goods and services that the County must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense. Best value procurement links the procurement process directly to the County’s performance requirements, including, but not limited to, selection factors such as useful life span, quality and options and incentives for more timely performance and/or additional services. Best value procurement can provide much needed flexibility in obtaining important goods and services at favorable prices, and can reduce the time to procure such goods and services.

“Best value” means the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect, whenever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor of offerors that are small businesses or certified minority or women-owned business enterprises as defined in subdivision one, seven, fifteen and twenty of section three hundred ten of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

When developing solicitation documents for competitive bids for the award of purchase contracts including contracts for service work, the Purchasing Agent may, and subject to the requirements herein and the applicable requirements set forth in this policy, determine that an award of a purchase contract shall be based upon best value methodology. In making such determination, the Purchasing Agent shall consider the recommendation, if any, of the Department Head or designee of the Department the purchase contract is being procured for. The Department Head or designee shall, in all instances, obtain the approval of the Purchasing Agent to utilize best value methodology prior to issuance of the competitive bid documents.

Requirements:

Where the basis for an award of a purchase contract will be the best value offer, the Purchasing Agent shall, in all instances:

- a. Document in the procurement record as a component of the competitive award process and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- b. Shall select a formal competitive procurement process in accordance with guidelines established under this policy and document the determination in the procurement record. The process of selection shall include, but may not necessarily be limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerors to submit responsive offers; and a balanced and fair method of award. Where the basis for award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
- c. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

4. Professional Services

Professional Services are not subject to competitive sealed bidding requirements, but are subject to the guidelines of GML §104-b for competitive pricing to be obtained for these services. When a Department Head determines that professional services, except for legal services pursuant to §501 of County Law are necessary, they must solicit proposals by obtaining written quotes and/or letting RFPs depending upon the anticipated cost for service (see below). Upon receiving responses, the Department Head will then bring proposals before the appropriate committee. The cost of said services shall be outlined as price per hour and/or total cost, and the names of qualified, licensed persons to perform said services will be presented to the committee. Data from other counties or individuals may be used at this time to compare costs. Department questions as to which services require Requests for Proposals should be directed to the

Purchasing Department.

Engineers and other professionals may be retained in accordance with any of the following award methods:

- a. The "Lowest Cost for Service" method which allows for awarding to the lowest proposer, **OR** other than the lowest proposer when the lowest proposal is deemed as non-responsive. Documented facts must support the decision and approval must be obtained from the appropriate committee. A Board of Supervisors Resolution is required prior to award.
- b. The "Best Value" method, based on weighted average scores from all criteria stated in the RFP specifications and submitted by sealed proposals; or
- c. The "Two Envelope" method where criteria is stated in the RFP specifications and professionals submit two separate sealed envelopes, one with the Proposal, the other with the Price. First, all Proposals are opened and the three "best" are selected. Only the "best" Proposal price envelopes will be opened and the low price will determine the award.

Proposals must be formally opened at a set time. The aforesaid methods must be authorized by the appropriate Board of Supervisors committee or used when required by Federal or State Law, Rule or Regulation.

When the County is seeking professional services to be funded by Community Development Block Grant ("CDBG") funding, a Notice to Professionals must be advertised in the official County newspapers, as well as the appropriate MWBE publications required by New York State. The Purchasing Department is responsible for placing said ads as part of the procurement process provided an RFP is required, and in all other instances the Department Head shall bare similar responsibility.

Proposals for professional services will be awarded by a Warren County Board of Supervisor's Resolution after the following conditions are met:

- a. Sufficient appropriations are contained within the Department's current budget (or after a budget transfer has been completed).
- b. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the bids received meet the intent of the specifications.

If passed, a service contract shall be prepared by the County Attorney and signed by the Professional before services are rendered. Contracts may contain the option for an extension for a second or third year, or more, before new RFP's need to be processed.

A Board of Supervisors Resolution must be adopted before services are ordered and shall be referenced on the Purchase Order together with the appropriate quotes.

See Paragraph II(B)(1)(c) above for bidding/RFP timeline.

3. Professional Services (continued)

Thresholds for seeking proposals is determined by the anticipated cost as follows:

- \$1 - \$5,000.99: No solicitation of quotes or proposals is required at the discretion of the Department Head (quotes or proposals are encouraged when practical).
- \$5,001-\$19,999.99: Written quotes from at least 3 qualified sources, where available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.
- \$20,000 & Up: RFP through the Purchasing Department from at least 3 qualified sources, where available. When the lowest proposal is deemed as non-responsive, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

PROFESSIONAL SERVICES Board Approval Required	AS PER PURCHASING AND/OR DEPT. HEAD	WRITTEN QUOTES	
		3	RFP
\$1 - \$5,000.99	X		
\$5,001 - \$19,999.99		X	
\$20,000 & Up			X

C. Exemptions and Exceptions to Purchasing Policy:

1. It will NOT be necessary to seek quotes, RFP’s or bids to comply with this Purchasing Policy for the following, however, contracts for services shall still be required:
 - a. Emergencies: GML §103(4) describes an emergency as an urgent need affecting the health and safety of citizens, which requires immediate action, where the occurrence or condition is “unforeseen”. Lack of anticipation or planning cannot be deemed as a cause for declaring an emergency. A true emergency does not exclude the need for securing competitive pricing, only the formal bidding process. An exception to the competitive bidding requirements exists for emergency situations. There are three basic statutory criteria to be met in order to fall within this exception. These are that: (1) the situation arises out of an accident or unforeseen occurrence or condition; (2) public buildings, public property or the life, health, safety or property of the political subdivision’s residents are affected; and (3) the situation requires immediate action which cannot await competitive bidding. When the Board of Supervisors passes a Resolution that a public

RESOLUTION NO. 248 OF 2018

PAGE 19 OF 33

emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances. The County Attorney and the Chairman of the Board shall be consulted and will make a recommendation as to how to proceed. The Board of Supervisors' committee chairperson (and committee, if time permits) shall also be advised.

- b. Employment and Training Services obtained through SUNY Adirondack and/or Washington-Saratoga-Warren-Hamilton-Essex (WSWHE) Board of Cooperative Educational Services for educational services.
- c. Membership dues and conference fees.
- d. All Physicians, Dentists and any Medical Providers for departments including, but not limited to, the Health Services Department, Warren County Sheriff's Office, Office of Emergency Services, Self-Insurance, Countryside Adult Home and the Department of Public Works. Also included shall be counseling services for the Office of Community Services. Data from other counties or individuals may be used to compare costs.
- e. Attorneys needed for a particular or specialized requirement as reviewed and approved by the Finance Committee.
- f. Situations not required by Law such as New York State Executive Law, Article 2B, State and Local Natural and Man-Made Disaster Preparedness Subsection 29A Suspension of Other Laws.
- g. Subscriptions for updates to existing Law Libraries.
- h. Public works services where, upon the determination by the Department Head, it is not feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repairs to be handled by County employees including auto body repairs), until the item is inspected and/or dismantled and a cost for inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes. If auto repairs are authorized by the Insurance Carrier as a result of an accident, Department Head may proceed upon the recommendation of the Insurance Adjuster.
- i. Pursuant to GML §103(6), surplus and second hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the Federal Government, the State of New York or from any other political subdivision, district or public benefit corporation.
- j. When procurements for goods or services are funded by State and/or Federal agencies, and procurement policies other than Warren County's are required, by law, to be followed, the Federal and/or State procurement policies shall supercede the County's Purchasing Policy.

- k. Produce purchases which shall not exceed \$20,000 in the aggregate on an annual basis, due to the volatility of the market, large minimum order requirements, and remoteness of some County sites. In the event of large orders over \$1,500 per site, or at the point that the commodity threshold is exceeded, State Contract must be utilized.

2. Quotes or proposals are not required for Sole Source & Single Source Commodities or Services

Competitive bidding is not required under GML §103 where the subject of the contract is controlled by a monopoly, or where there is only one possible (sole) source from which to procure certain patented goods or services, and therefore no possibility of competition exists. Should certain supplies or materials be obtainable only from a specific manufacturer, then a true monopoly would exist and the purchase would not be subject to bidding requirements. The mere likelihood that only one firm will bid, however, is insufficient to justify a sole source procurement. Further, a political subdivision may not artificially create a sole source situation such as by, without proper justification, tailoring bid specifications to limit competition to only one bidder.

In determining whether a sole source item is required in the public interest, the County should show, at a minimum:

- a. The unique benefits to the County of the item or service as compared to other products or services available in the marketplace;
- b. That no other product or service provides substantially equivalent or similar benefits;
- c. And that, considering the benefits received, the cost of the item or service is reasonable in comparison to other products or services in the marketplace.

In addition, the County should document that, as a matter of fact, there is no possibility of competition, as from competing dealers or distributors. The sole source exception may apply, for example, in those instances when:

- d. Services from a regulated public utility are available from only one source;
- e. There is only one source from which to acquire equipment which meets state-mandated requirements; or
- f. A political subdivision, which owns equipment uniquely suited to or compatible with a particular make of equipment, has adopted a standardization resolution for that make of equipment and the equipment is only available from one source.

A sole source can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an “or equal”. Prior to a vendor being considered a sole source, a letter on the vendor’s official letterhead must be on file with the Purchasing Department detailing their sole source status.

A single source could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. Should you have a situation involving a single source

RESOLUTION NO. 248 OF 2018

PAGE 21 OF 33

supplier, a letter on the manufacturer's letterhead must be on file with the Purchasing Department confirming the single source authorized vendor.

Should there be ANY possibility of purchasing the item from two or more vendors, sealed bids should be requested after public advertising. Contracts ARE required when services are being provided regardless of sole source or single source status.

3. True Leases are not subject to the previous purchasing rules but rather must comply with the following requirements.

True leases are neither purchases nor contracts for public works, and thus, are not subject to bidding under the General Municipal Law. County policy however, requires that:

- a. After a Department has been given budget funding and approval to lease equipment, unless the lease is on State Contract, RFP's must be obtained through the Purchasing Department. Where a lease will not exceed a total of \$2,000 annually, no RFP shall be required. Quotes must be obtained and the Purchasing Agent shall sign the lease as indicated in Section II(C)(3)(e) below.
- b. A written explanation must be sent to Purchasing when the lowest lease quotation or response to an RFP is not taken, and a Board of Supervisors Resolution must be obtained;
- c. Appropriations must be specifically available for the lease (this will be considered authorization by the Board to enter into the lease);
- d. The lease agreement entered into may be for multiple years but must:
 - i. not contain any automatic buyout or automatic renewal clauses;
 - ii. contain a non-appropriation clause; and
 - iii. address the disposition of the equipment at the end of the lease so that the vendor pays the cost for return of the equipment, etc.
- e. All lease agreements shall be treated as purchases and signed by the Purchasing Agent; and
- f. While the lease agreement may not contain an automatic renewal clause, at the end of the lease term, departments may extend the lease agreement beyond the original term for a period of up to 18 months without securing additional quotes or engaging in an RFP process provided that:
 - i. the lease payments do not increase;
 - ii. the department has appropriations therefore; and
 - iii. Purchasing Agent approval is received.

SECTION III

III. PURCHASE ORDERS

A. General

The Purchasing Department is designated to review and approve Purchase Orders. It is the individual Department Heads responsibility to insure that expenditures are within the budgetary appropriations and that the proper Department account is charged.

Should there be insufficient funds available, Departments must do a budget transfer and secure all the necessary approvals before the order can be processed.

Most purchases exceeding \$499.99 require a Purchase Order. Exemptions are listed beginning on page 16. The Purchase Order provides a formal document authorizing the purchase of goods and services as well as the necessary authority to pay vendor claims and proof of tax-exempt sales. Purchase Orders are prepared by the Department with all the necessary documentation such as contracts, quotes and insurance forms (where applicable) on file.

The Purchasing Department verifies the following information when approving a Purchase Order:

1. Vendor/vendor number
2. County contract/resolution/bid number/quotation information/ state contract number
3. Comments/special instructions
4. Description of goods and services being ordered
5. Quantity/unit of measure
6. Unit price/extension and total cost
7. Commodity codes/budget codes
8. Asset status (if over \$1,000)

The Purchasing Department will determine if the best method of procurement has been followed. If available, a current County bid or NYS contract will be used. If none apply, the formal bid or quotation process may be commenced depending on estimated annual expenditures.

Once the Purchase Order has been approved by the Purchasing Department, it is then posted by the Treasurer's Office and is then available for use.

In all instances, Purchase Orders are to be completed before a purchase is made. The only exceptions are exempt and emergency purchases as described beginning on page 18.

If at any time a Department finds they will exceed the competitive bidding threshold for a particular product or service, they should notify the Purchasing Department to allow time for specifications to be developed and the formal bid process to be completed, to meet their anticipated needs.

Purchases of \$499.99 or under do NOT require a Purchase Order. The following additional purchases do NOT require a Purchase Order. Purchases billed to the Department on a monthly basis not requiring Purchase Orders are Postal costs, Internet and Telephone charges, and routine Printing needs, which are to be handled by the Print Shop, via a Printing Order Form. Also exempt from the Purchase Order requirement are mileage, utilities and gas. To obtain routine maintenance and repairs, a Work Order Form must be completed and submitted to the Buildings & Grounds Department at the Municipal Center. Requests for shelving, bookcases, bulletin boards, and computer work stations may also be handled in this manner. When Buildings & Grounds funds are available for such requests, there will be no charge for Work Order requests to the individual departments. However, if Buildings & Grounds funds are not available or otherwise committed, it is the responsibility of the department to purchase required materials. Department Heads must be responsible for making sure that all these procedures are complied with as outlined in this Purchasing Policy.

B. Blanket Purchase Orders

A Blanket Purchase Order (BPO) is created for products or services that are purchased on an “as needed” basis from a vendor throughout the year where the dollar value will vary for each purchase. These are issued for a maximum period of twelve (12) months and must be reissued at the beginning of each fiscal year.

For vendors used by all County Departments, each Department will issue a BPO for their Department only. There has to be quotes, a bid and/or a contract established with the vendor and insurance on file (if required) before a BPO can be issued.

PLEASE NOTE: Whenever possible, BPO’s must be for the total amount (or aggregate) amount to be spent with the vendor annually or for the term of the bid and/or contract. The Purchasing Department issues several commodity bids that are for less than one-year terms. The BPO’s for the commodity bids should only include enough funding for the term of the bid and not an annual total. If multiple budget codes are involved in the purchase, the department may either assign multiple codes to one PO, or individual PO’s may be submitted for each code even if the PO’s are less than \$500.00

Departments are responsible for providing the BPO number to the vendor and verify that the number also appears on the documentation sent to Audit for payment processing.

C. Emergency Purchase Order

General Municipal Law Section 103 (4) defines an emergency as “a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants requires immediate action”.

If an emergency arises, the department must contact the Chairman of the Board of Supervisors and the County Attorney to obtain approval prior to making any emergency purchases. Purchasing may be contacted for assistance in procuring products or services required to deal with the emergency. If the Chairman of the Board of Supervisors and the County Attorney determine there is a true emergency, the vendor who can immediately provide the required goods or services will be given prime consideration for the purchase.

The Purchasing Department will **not** approve an Emergency Purchase Order when the purchase is not justified, where the purchase is being made to circumvent established procedures, or where there is a lack of proper planning.

D. Purchase Order Checklist

For reference purposes, the following checklist should be used when submitting PO's:

- √ Is the vendor remit to address correct (submit vendor form to Purchase if a change is required).
- √ Is the description complete ? (One-time message should include bid number, state contract number, quotes and/or any other information relevant to the purchase). If the one-time message indicates that the purchase is from a sole source vendor, a copy of the sole source letter must be provided to the Purchasing Department or attached as a document to the PO.
- √ Is the form type "REGULAR-REGULAR"? ("REG-Regular" should not be selected.)
- √ Deliver by Date and Expiration Date fields must be left blank.
- √ Is the correct Resolution Number referenced? Confirm that the authorizing resolution is current.
- √ Is the dollar amount correct? Does it match the contract or quote amount? We cannot approve PO's that exceed the authorized amount.
- √ Create New Asset Box - if the item is less than \$1,000, uncheck the asset box.
- √ Contracts - If applicable, has the contract been signed? The Purchasing Department will not approve PO's until it's confirmed that the contract is fully executed. If the contract is for an exact dollar amount, it must be attached to the PO prior to approval.

SECTION IV

IV. ASSET MANAGEMENT

The purpose of the asset inventory management system is to establish proper procedures for monitoring the movement of fixed assets to maintain accurate reporting of assets values as required by NYS Audit and Control.

A. Fixed Assets

Fixed assets are defined as those properties the County of Warren retains more or less permanently, not for sale, but for utilization in the normal course of operations.

Fixed assets will always imply tangible fixed assets. The general accepted practice, as in Warren County, is to record and report fixed assets at their historical acquisition cost. The cost of a fixed asset should include all expenses of transporting the asset to the proper location and placing it in the condition necessary for its intended use. Only items costing One Thousand Dollars (\$1,000.00) or more and with a useful life of more than one year will be inventoried.

Upon receipt of an asset valued over \$1,000, the Treasurer's Office will issue a numbered inventory sticker to be attached to the new asset. Stickers are necessary to provide positive

identification of assets. They also provide a quick and accurate method of identifying assets during the annual physical inventory. If a sticker is lost or damaged the Department should contact the Treasurer’s Office.

Please note that all stickers must remain on the item until the time of sale or disposition. When sold or scrapped, the sticker shall be removed and placed on the Treasurer’s Office copy of the Disposition Form.

Each Department Head has the ultimate responsibility to conduct and maintain the individual inventory pertaining to that Department. It is also the responsibility of the Department Head to evaluate on a continuing basis the suitability and need for materials, supplies and equipment. If they should become obsolete by reason of age, wear or technical advancement or should become surplus, unnecessary for the operation of his/her department, the department inventory manager should send an e-mail to the Purchasing Agent with details and condition of the item for sale or disposal. The Department will then complete a work order to have the item removed either for the sale or disposal.

B. Capital Assets

Capital assets include property, plant, equipment and infrastructure assets (e.g. roads, bridges, airport runways and similar items). Such assets are recorded at historical cost or estimated historical cost. The reported value excludes normal maintenance and repairs, which are essentially amounts spent in relation to capital assets that do not increase capacity or efficiency of the item or increase its estimated useful life. Donated capital assets are recorded at estimated fair market value of the item at the date of donation.

The capital assets are capitalized at certain thresholds and depreciated using a straight line method over their useful lives as follows:

<u>Capital Assets</u>	<u>Capitalization Threshold</u>	<u>Useful Lives (Years)</u>
Land Improvements	\$25,000	20
Buildings & Improvements	\$50,000	40
Vehicles & Equipment	\$5,000	5-10
Infrastructure	\$250,000	10-40

SECTION V

V. TRANSFER AND SALE OF SECOND-HAND EQUIPMENT

The Purchasing Agent is designated by the Board of Supervisors to be responsible for the salvage control program. The same precautions must be taken when disposing of property as when purchasing. A Physical Inventory Deletion Form is needed for items sold, scrapped or traded in. Surplus equipment may be transferred to another department where it is needed by using a Property Transfer Form. Both forms are available through the Purchasing Department. The

Purchasing Agent is solely authorized to sell or trade in used and/or obsolete equipment to a vendor, even those under State Contract, and to accept a trade in allowance from such vendor. If all above procedures have been exhausted, the Purchasing Agent will arrange to sell such articles at a widely advertised public auction, on-line auction through a contracted Auction, or on eBay. Items that have no value and are broken beyond repair, must be properly disposed of by the appropriate Department.

Department personnel assigned the task of inventory management are to report any surplus equipment or materials they have to the Purchasing Department. These items will be made available to all County Departments on a first-come first-served basis. If an asset remains unclaimed on the list for over 2 weeks, it will be made available to the towns, village and city in Warren County. If unclaimed the Purchasing Agent will determine the most beneficial disposition of this surplus equipment.

Any vehicle or equipment that requires a title to be signed for transfer will be handled by the Purchasing Agent and/or the Superintendent of the Department of Public Works or his designee.

SECTION VI

VI. PURCHASING POLICY - GENERAL CONDITIONS

- ▶ The Purchasing Agent is appointed at the pleasure of the Board of Supervisors and is responsible for reviewing and administering the purchasing policy of Warren County.
- ▶ Employees of the Purchasing Department shall maintain effective and professional public, vendor and customer relationships.
- ▶ To maintain a high level of quality service to Warren County Departments and Municipal Subdivisions, Purchasing staff shall participate in educational opportunities offered in the purchasing field, and keep abreast of current developments in market conditions, pricing, new products and the Law.
- ▶ The Purchasing Policy herein shall be administered in accordance with all ethical rules called for by the County of Warren.
- ▶ Any County Officer or employee who has, will have, or acquires an interest in, any actual or proposed contract with the County of which he/she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to the Board of Supervisors as soon as he/she has knowledge of an actual or prospective interest. This written disclosure will be made part of the official minutes of the Board of Supervisors. **If an officer or employee has a reason to believe that he/she may have a conflict of interest, the office of the County Attorney should be contacted immediately.**

RESOLUTION NO. 248 OF 2018

PAGE 27 OF 33

- ▶ Each Purchase Order will be examined by a member of the Warren County Purchasing Department and processed according to the guidelines set forth under the section of applicable Purchasing Procedures.
- ▶ The Warren County Purchasing Department and Department Heads will maintain adequate documentation of all action taken in connection with each method of procurement. Such documentation may include, but not be limited to any and all pertinent Board Resolutions, Memoranda, Written Quotes, Contracts and any other appropriate form of documentation.
- ▶ Opportunity will be provided to all responsible suppliers to do business with the County. To this end, the Purchasing Department will maintain a listing of potential bidders for the various types of material, equipment, supplies and services used by County Departments. This list will be used for the distribution of notices for bids and quotes. Any supplier may be included on the list upon request.
- ▶ Suppliers will be removed from the bidders list if they make a formal written request, or if the Purchasing Agent finds the supplier to be an irresponsible bidder. This is determined by failing to provide proof of responsibility, having repeatedly made slow or unsatisfactory delivery of supplies or services or having been found by a Court of competent jurisdiction to have engaged in unlawful employment or business practices within the previous 12 months.
- ▶ Supplies used by various County Departments should be uniform whenever consistent with operational goals in the interest of efficiency or economy. The material, equipment, supplies, and services purchased by Warren County shall be of the quality and quantity required to serve ALL departments in a satisfactory manner, as will be determined by the requisitioner and the Purchasing Agent.
- ▶ Credit cards or P-Cards whose use is approved by the Clerk of the Board of Supervisors are held by same and signed out for use by County staff. Some Departments hold cards specific to their operations and reference is herein made to the County Credit Card Policy for further details.
- ▶ On occasion, County Departments are asked by vendors to complete credit applications in order to be able to set up an account. Said applications should not be returned as the County is not applying for credit. In most cases, a Purchase Order is sufficient documentation for the vendor to set up an account.
- ▶ No official or employee will be interested financially in contracts entered into by the municipality (as defined in Section 800 of General Municipal Law). This also precludes acceptance of gratuities, financial or otherwise, as stated in the Warren County Code of Ethics.
- ▶ The County of Warren will not be deemed responsible for any commitment made at the departmental level circumventing these procedures. If County procedures are circumvented, disciplinary action may be taken.
- ▶ Salespersons are encouraged to visit the Purchasing Department prior to or in conjunction with initial, individual Department contact.

RESOLUTION NO. 248 OF 2018

PAGE 28 OF 33

- ▶ The Finance Committee will annually review the policies and procedures set forth in this manual prior to adoption by the Warren County Board of Supervisors.
- ▶ The unintentional failure to fully comply with the provisions of GML §103 and 104-b shall not be grounds to void any action taken or give rise to cause of action against the County of Warren, the Purchasing Department, or any officer or employee thereof.
- ▶ The County Attorney and the Warren County Board of Supervisors shall make the final decision regarding any issues related to procurement of goods and services for Warren County.
- ▶ Standard lists of commonly used items shall be jointly developed for all categories or groups of supplies by the Purchasing Agent and the appropriate requisitioners. These lists shall be used as a basis for determining the feasibility for obtaining quotations on quantity purchases or the necessity of advertising for formal bids.
- ▶ It is the responsibility of the Purchasing Agent to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Agent, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the Board of Supervisors, after reviewing all available data, should make the final determination.
- ▶ The Purchasing Department offers a vendor library which includes many reference materials. NYS OGS contracts, Buyer's (Consumer) Guides, vendor catalogues, preferred source catalogues, industrial buying guides, and all materials pertaining to Warren County bids. These materials may be viewed in the Purchasing Department Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.
- ▶ When a low bidder proposes an alternative as an "equal" to that specified, it is the responsibility of the Department Head to determine whether the proposed substitution is, in fact, an equal.
- ▶ Grant/Revenue and Asset Forfeiture funding is NOT exempt from the County's Purchasing Policy or GML §103 or §104-b. These funds are still considered to be taxpayer money and procurement guidelines must be followed as with any other budgetary appropriation.
- ▶ The Purchasing Department posts all public bid documents on the County's WCEAS system, including, but not limited to:
 - * Specifications
 - * Recommendation Letters
 - * Resolutions
 - * Extension Letters
 - * Addenda
 - * Award Letters
 - * Tab Sheets

If a bid document is not posted, please contact the Purchasing Department for further information.

APPENDIX “A”

Uniform Guidance for Federal Awards

Purpose

The Code of Federal Regulations (CFR) Title 2 Part 200 (subparts A-F) of the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” requires organizations receiving federal awards to establish and maintain effective internal controls over Federal awards. This includes those instances where Warren County is a sub-recipient of the state.

General Policy Statement

Warren County does not have a centralized grants department, therefore, it is the responsibility of each department obtaining a grant to be familiar with and follow all grant documents and requirements. For the purpose of this policy, “Program Director” shall apply to the individual(s) within a given department who will be responsible for the grant. A list of the name(s) of the Program Director(s) along with the corresponding grants that they oversee shall be supplied to the County Administrator.

To comply with 2 CFR Part 200 (subparts A-F), Warren County implements policies and procedures to include, but not be limited to, those contained herein. In addition, Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts under Federal Awards shall be applicable and is on file in the Purchasing Department.

§200.318 General Procurement Standards

- A. The County will use its own procurement procedures which reflect applicable State and Local Laws and Regulations, provided that the procurements conform to applicable Federal Law and Uniform Guidance. As such, County procurements related to Federal grants will be subject to New York State General Municipal Law, Warren County Purchasing Policy, and Uniform Guidance Requirements.
- B. The Program Director within each department shall maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- C. No employee, officer or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he/she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employees or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for contract. The officers, employees and agents of Warren County may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value shall be governed by the Code of Ethics of Warren County. The Code of Ethics provides for enforcement actions to be applied for violations of such standards by officers, employees, or agents of Warren County.
- D. The County will avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any appropriate analysis to determine the most economical approach.
- E. The County may enter into state and local intermunicipal agreements, where appropriate, for procurement or use of common or shared goods and services.

- F. The County may consider Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
- G. The County may use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

Uniform Guidance for Federal Awards (continued)

- H. The County will only award contracts to responsible vendors and will document, in writing, such determination. To aid in the documentation process, the “Vendor Responsibility Questionnaire” shall be included in any competitive solicitations issued that will use Federal grant funding. §200.213 Suspension and debarment shall also apply:
 - 1. A contract award must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 and 12689 “Debarment and Suspension”.
 - 2. The County will include a suspension/debarment clause within its “Standard Clauses for Federal Awards” requiring the vendor/contractor to certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the Government immediately upon becoming suspended or debarred.
 - 3. The Program Director within each department shall be required to check the Vendor/Contractor’s name through SAM to determine any exclusion. A copy of the SAM search shall be included with the contract documentation. To register on the SAM website, use this link: <https://www.sam.gov/portal/SAM#1>
 - 4. If a Vendor/Contractor is found to be suspended or debarred, the County will immediately cease to do business with the vendor.
- I. The Program Director within each department shall maintain grant files. Documentation must include a significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.
- J. The County will only utilize time and material contracts when it has been determined that no other contract type is suitable.
- K. The County must be responsible, in accordance with good administrative practice and sound business judgment for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the County of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the County unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

§200.319 Competition

- A. Procurements will provide for full and open competition as set forth in the Uniform Guidance, or State and local procurement policy/law, whichever is most restrictive.
- B. The County shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids

or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference.

§200.320 Methods of Procurement to be Followed

See Appendix C Competitive Procurement Standards for further information that pertains to all competitive solicitations.

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source. Documentation from the manufacturer must be provided to substantiate this.
2. The public need or emergency for the requirement will not permit a delay resulting from competitive solicitation. This should not be the result of poor planning.
3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the County.
4. After solicitation of a number of sources, competition is determined inadequate.

Uniform Guidance for Federal Awards (continued)

§200.321 Contracting with small and minority businesses, woman-owned business enterprises, and labor surplus area firms

- A. The County shall take all necessary affirmative steps to assure that minority businesses, woman-owned business enterprises, and labor surplus firms are used when possible. Steps to include:
1. Placing qualified small and minority businesses and woman-owned business enterprises on solicitation lists;
 2. Assuring that small and minority businesses and woman-owned business enterprises are solicited whenever they are potential sources;
 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and woman-owned business enterprises;
 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and woman-owned business enterprises; and
 5. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs 1-4 of this section.

§200.323 Contract cost and price

The County must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold (as of December 2017 - \$150,000) including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the County will make independent estimates before receiving bids or proposals. Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the County under Subpart E - Cost Principles of this part. The cost plus percentage of cost and percentage of construction cost methods of contracting will not be used.

§200.324 Federal awarding agency or pass-through entity review

The County shall make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed.

§200.325 Bonding requirements

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the County shall require:

1. A bid guarantee from each bidder equivalent to 5% of the bid price;
2. A performance bond on the part of the contractor for 100% of the contract price; and
3. A payment bond on the part of the contractor for 100% of the contract price.

§200.326 Contract provisions

County contracts under Federal awards shall contain the “Standard Clauses for Federal Awards” in conformance with the provisions described in Appendix II to Part 200 - Contract Provisions for non-Federal Entity Contracts Under Federal Awards. Program Directors shall ensure that these clauses are included with any procurement contract that is part of a Federal award.

Warren County Board of Supervisors

RESOLUTION NO. 249 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AMENDING TABLE OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2018

RESOLVED, that the Table of Organization and the Warren County Salary and Compensation Plan for 2018 are hereby amended as follows:

AIRPORT

Increasing Salary From:

A.5610.110

TITLE:

Airport Manager

EFFECTIVE DATE

July 1, 2018

ANNUAL
SALARY

\$74,768

Increasing Salary To:

A.5610.110

TITLE:

Airport Manager

EFFECTIVE DATE

July 1, 2018

ANNUAL
SALARY

\$80,000*

*Job responsibilities may be expanded to include DPW responsibilities

COUNTY

ADMINISTRATOR

Creating Position:

A.1011.130

TITLE:

Assistant to the County
Administrator - PT

EFFECTIVE DATE

June 18, 2018

ANNUAL
SALARY

\$68,288 pro-rated to
\$37.5208/hour*

*Not to exceed 28 hours per week for a maximum of six months for training purposes

DEPT. OF PUBLIC WORKS

Creating Position:

D.5110.110

TITLE:

HEO #15 STA

EFFECTIVE DATE

June 1, 2018

ANNUAL
SALARY

\$600

Deleting Position:

D.5110.110

TITLE:

Highway Construction
Supervisor STA #10

EFFECTIVE DATE

June 1, 2018

ANNUAL
SALARY

\$600

RESOLUTION No. 249 OF 2018

PAGE 2 OF 2

DEPT. OF PUBLIC WORKS

Creating Position:

D.5110.110

TITLE:

HEO #16 STA

EFFECTIVE DATE

June 1, 2018

ANNUAL SALARY

\$600

Deleting Position:

D.5110.110

TITLE:

Highway Construction
Supervisor STA #8

EFFECTIVE DATE

June 1, 2018

ANNUAL SALARY

\$600

SOCIAL SERVICES

Creating Position:

A.6010.110

TITLE:

Social Welfare Examiner #44

EFFECTIVE DATE

June 18, 2018

ANNUAL SALARY

\$34,102

Grade 8

Deleting Position:

A.6010.110

TITLE:

Temporary HEAP Examiner #4

EFFECTIVE DATE

June 18, 2018

ANNUAL SALARY

\$31,017*

Grade 6

Pro-rated to \$6,768 for 11 week
temp position

Reclassifying Position From:

A.6010.110

TITLE:

Intake Clerk #6

EFFECTIVE DATE

June 18, 2018

ANNUAL SALARY

\$28,589

Grade 4

Reclassifying Position To:

A.6010.110

TITLE:

Secretary

EFFECTIVE DATE

June 18, 2018

ANNUAL SALARY

\$28,589

Grade 4

TREASURER

Creating Position:

A.1325.110

TITLE:

Accounting Technician #2

EFFECTIVE DATE

June 18, 2018

ANNUAL SALARY

\$46,318

Grade 19

Warren County Board of Supervisors

RESOLUTION NO. 250 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

APPOINTING MEMBER OF THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY AND CIVIC DEVELOPMENT CORPORATION

RESOLVED, that Nicholas Caimano (replacing Harold G. Taylor - resigned) be, and hereby is, appointed effective June 15, 2018, as a member of the Counties of Warren and Washington Industrial Development Agency and Civic Development Corporation, to serve at the pleasure of the appointing authority, upon the adoption of a similar resolution by the County of Washington.

Warren County Board of Supervisors

RESOLUTION NO. 251 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AUTHORIZING AN AGREEMENT WITH THE QUEENSBURY UNION FREE SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE QUEENSBURY SCHOOL DISTRICT

WHEREAS, the Queensbury Union Free School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning two school resource officers/school security officers to the four schools located within the Queensbury School District, and

WHEREAS, the Sheriff has agreed to provide these services during normal school hours throughout the school calendar year and for such other events as may be requested by the school district, and

WHEREAS, the school has agreed to pay the County an amount not to exceed Sixty Thousand Dollars (\$60,000) per school year for two School Resource Officer/School Security Officer to be assigned to the four schools located within the Queensbury Union Free School District, for a term commencing upon execution of the agreement by both parties and continuing under the same terms and conditions, unless terminated by either party, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board and the Warren County Sheriff to enter into an agreement with the Queensbury Union Free School District, 429 Aviation Road, Queensbury, New York 12804 to provide law enforcement services by assigning two school resource officers/school security officers to the four schools located in the Queensbury School District during normal school hours throughout the school calendar year and for such other events as may be requested by the school district for an amount not to exceed Sixty Thousand Dollars (\$60,000) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and continuing until terminated by either party, provided there are no changes in the terms and conditions and in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 252 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AUTHORIZING VOLUNTARY RECOGNITION BY THE WARREN COUNTY BOARD OF SUPERVISORS OF THE CORRECTIONS OFFICERS FORMATION OF A SEPARATE GROUP AND AUTHORIZING EXECUTION OF COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE WARREN COUNTY SHERIFFS' EMPLOYEES' ALLIANCE AND THE CORRECTIONS OFFICERS GROUP

WHEREAS, the Warren County Corrections Officers have historically been members of the Warren County Sheriffs' Employees' Alliance (Alliance) collective bargaining unit, and

WHEREAS, the Corrections Officers desire to separate from the Alliance and form their own bargaining unit and requested recognition of same by the Warren County Board of Supervisors, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors be, and hereby does, recognize the Corrections Officers as their own bargaining unit, and be it further

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute collective bargaining agreements to become effective on July 1, 2018 between Warren County, the Warren County Sheriff, the Warren County Sheriffs' Employees' Alliance and the new Corrections Officers group, as well as any and all documents necessary to effectuate the terms of this resolution, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 253 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AMENDING RESOLUTION NO. 238 OF 2017, APPOINTING MEMBERS TO THE REALLOCATION COMMITTEE PURSUANT TO THE TERMS OF THE CSEA AGREEMENT, TO REFLECT CHANGES TO THE COMMITTEE

WHEREAS, pursuant to Resolution No. 238 of 2017, the Warren County Board of Supervisors appointed members to the Reallocation Committee pursuant to the terms of the CSEA agreement, and

WHEREAS, the Personnel & Higher Education Committee has recommended that the Chair of the Personnel & Higher Education Committee and the County Administrator be appointed to the Reallocation Committee, now therefore, be it

RESOLVED, that pursuant to the CSEA agreement, the Warren County Board of Supervisors hereby appoints the following individuals to the Reallocation Committee:

Kevin Geraghty, Personnel & Higher Education Committee Chair

Ryan Moore, County Administrator

Jackie Figueroa, County Human Resources Director

Patricia Nenninger, Personnel Officer

and be it further

RESOLVED, that the Warren County Attorney be removed from the Reallocation Committee.

Warren County Board of Supervisors

RESOLUTION NO. 254 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AMENDING RESOLUTION NO. 12 OF 2018, APPOINTING MEMBERS TO REPRESENT WARREN COUNTY ON THE POLICY COMMITTEE OF THE ADIRONDACK-GLENS FALLS TRANSPORTATION COUNCIL, TO CHANGE THE DESIGNATED ALTERNATE

WHEREAS, pursuant to Resolution No. 12 of 2018, Jeffery Tennyson, Superintendent of the Department of Public Works, was appointed as Designated Alternate to represent Warren County on the Policy Committee of the Adirondack-Glens Falls Transportation Council in the absence of Ronald F. Conover when he is unable to attend, for a term to expire on December 31, 2018, and

WHEREAS, Jeffery Tennyson has since resigned from the Superintendent of Public Works position and the Chairman of the Board has subsequently recommended that Kevin Hajos, current Superintendent of the Department of Public Works, be appointed as Designated Alternate to represent Warren County on the Policy Committee of the Adirondack-Glens Falls Transportation Council in the absence of Ronald F. Conover when he is unable to attend, for a term to expire on December 31, 2018, now, therefore, be it

RESOLVED, that Resolution No. 12 of 2018 be, and hereby is, amended to appoint Kevin Hajos, Superintendent of the Department of Public Works, as Designated Alternate to represent Warren County on the Policy Committee of the Adirondack-Glens Falls Transportation Council in the absence of Ronald F. Conover when he is unable to attend, for a term to expire on December 31, 2018, and be it further

RESOLVED, that other than the change outlined above, all other terms and conditions of Resolution No. 12 of 2018 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 255 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AMENDING RESOLUTION NO. 14 OF 2018, APPOINTING MEMBERS TO SERVE ON THE PLANNING COMMITTEE (FORMERLY KNOWN AS THE TECHNICAL ADVISORY COMMITTEE) OF THE ADIRONDACK-GLENS FALLS TRANSPORTATION COUNCIL, TO APPOINT KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS, TO THE COMMITTEE

WHEREAS, pursuant to Resolution No. 14 of 2018, individuals were appointed to serve as members of the Planning Committee (formerly known as the Technical Advisory Committee) of the Adirondack-Glens Falls Transportation Council, and

WHEREAS, the Chairman of the Board has recommended that Kevin Hajos, Superintendent of the Department of Public Works, be appointed to replace Jeffery Tennyson, now, therefore, be it

RESOLVED, that Kevin Hajos, Superintendent of the Department of Public Works, be, and hereby is, appointed to serve as a member of the Planning Committee (formerly known as the Technical Advisory Committee) of the Adirondack-Glens Falls Transportation Council for a term to expire on December 31, 2018, and be it further

RESOLVED, that other than the change outlined herein, all other terms and conditions of Resolution No.14 of 2018 remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 256 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, FRASIER, MCDEVITT, LEGGETT, BRAYMER, SIMPSON, HYDE, DIAMOND, LOEB, MERLINO AND SOKOL

AMENDING RESOLUTION NO. 186 OF 2018, AMENDING THE TABLE OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2018, TO CHANGE THE HOURS FOR THE CONSTRUCTION COST COORDINATOR POSITION

WHEREAS, pursuant to Resolution No. 186 of 2018, the Table of Organization and Warren County Salary and Compensation Plan for 2018 was amended to reflect, among other things, a reduction in the hours for the Construction Cost Coordinator in the Planning & Community Development office, and

WHEREAS, the Treasurer's Office has requested that the resolution be amended as follows:

PLANNING & COMMUNITY DEVELOPMENT

Reducing Hours To:

A.8021.130

TITLE:

Construction Cost Coordinator

EFFECTIVE DATE

04/23/2018

ANNUAL SALARY

\$53,562*

*Not to exceed 1,040 hours per year, prorated to \$25.75 per hour

and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 186 of 2018 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 257 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, McDEVITT, GERAGHTY, BRAYMER AND HYDE

ESTABLISHING CAPITAL PROJECT NO. H381 AIRPORT MARKETING AND PROMOTION OF FLOYD BENNETT MEMORIAL AIRPORT; AUTHORIZING TRANSFER OF FUNDS AND AMENDING WARREN COUNTY BUDGET FOR 2018

RESOLVED, that the Warren County Board of Supervisors does hereby establish Capital Project No. H381 Airport Marketing and Promotion of Floyd Bennett Memorial Airport, as follows:

1. Capital Project No. H381 Airport Marketing and Promotion of Floyd Bennett Memorial Airport is hereby established.
2. The estimated cost of such Capital Project is the amount of Forty Thousand Dollars (\$40,000).
3. The proposed method of financing such Capital Project consists of the following:
 - a. Funding in the amount of Forty Thousand Dollars (\$40,000) shall be provided from a New York State Department of Transportation Grant

and be it further

RESOLVED, that the Warren County Budget for 2018 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds from the General Fund in the amount indicated below on an as needed basis:

TRANSFER TO	AMOUNT
H381 Airport Marketing and Promotion of Floyd Bennett Memorial Airport	\$40,000.00

Warren County Board of Supervisors

RESOLUTION NO. 258 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, McDEVITT, GERAGHTY, BRAYMER AND HYDE

AUTHORIZING COUNTY TREASURER TO CLOSE A CERTAIN CAPITAL PROJECT

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to close the following Capital Project and return the funds remaining in same to the funding source:

CAPITAL PROJECT TITLE	ESTIMATED FUNDS	FUNDING SOURCE
H366 West Mountain Rd.(CR58) Pavement Preservation	\$10,731.52	County Road Fund

Warren County Board of Supervisors

RESOLUTION NO. 259 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, McDEVITT, GERAGHTY, BRAYMER AND HYDE

AUTHORIZING COUNTY TREASURER TO CLOSE THE FOLLOWING CD ACCOUNTS ON BEHALF OF PLANNING AND COMMUNITY DEVELOPMENT

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to close the following CD accounts on behalf of the Planning and Community Development Office, as all funds have been expended and the grantor agency has closed out each of the programs:

CD7, CD18, CD 21- 37, CD39, CD 50-55, CD 59-62, CD 64-68, and CD71-73.

Warren County Board of Supervisors

RESOLUTION NO. 260 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, McDEVITT, GERAGHTY, BRAYMER AND HYDE

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE OCCUPANCY TAX RESERVE TO THE TREASURER'S OFFICE BUDGET TO PROVIDE FUNDING FOR THE CREATION OF AN ACCOUNTING TECHNICIAN POSITION IN THE TREASURER'S OFFICE; AMENDING 2018 WARREN COUNTY BUDGET

RESOLVED, that the Warren County Board of Supervisors hereby sets aside the rules previously established by the Board concerning the use of occupancy tax funds, and appropriates funds in an amount not to exceed Thirty Thousand Nine Hundred Fifty-Five Dollars (\$30,955) from the Occupancy Tax Reserve (A.881.00) to the budget codes listed below to provide funding for the creation of an Accounting Technician position in the Treasurer's Office:

A.1325 110	County Treasurer, Salaries-Regular	\$25,121
A.1325 830	County Treasurer, Social Security	1,558
A.1325 831	County Treasurer, Medicare	364
A.1325 810	County Treasurer, Retirement	2,311
A.1325 210	County Treasurer, Furniture/Furnishings	1,601

and be it further

RESOLVED, that the Warren County Budget for 2018 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 261 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SOKOL, SIMPSON, MERLINO, DICKINSON, STROUGH, BEATY, FRASIER, MCDEVITT, GERAGHTY, BRAYMER AND HYDE

APPROVING TENTATIVE OPERATING BUDGET FOR FISCAL YEAR 2018 - 2019 FOR ADIRONDACK COMMUNITY COLLEGE AND PROVIDING FOR PUBLIC HEARING

WHEREAS, the Vice President for Administrative Services of Adirondack Community College has presented to the Board of Supervisors a tentative operating budget for the college fiscal year from September 1, 2018 to August 31, 2019, in the gross amount of Thirty One Million Four Hundred Eighty-Four Thousand Eighty-Three Dollars (\$31,484,083), which, if adopted by the Board of Supervisors, would require the sum of Two Million Seven Thousand Five Hundred Eighty-Five Dollars (\$2,007,585) as that portion to be raised by taxation in the County of Warren for the year 2018-2019 for the operational costs to pay Warren County's share as one of the sponsors of Adirondack Community College, and

WHEREAS, the Personnel & Higher Education and Finance Committees have reviewed and approved the tentative operating budget and recommend that such tentative budget be approved and a public hearing be held thereon, now, therefore, be it

RESOLVED, that the tentative budget of Adirondack Community College for fiscal year September 1, 2018 to August 31, 2019, as prepared and submitted by the Vice President for Administrative Services, be, and the same hereby is, approved, and be it further

RESOLVED, that the Board of Supervisors will hold a public hearing on said tentative operating budget of Adirondack Community College in the Board Room of the Warren County Municipal Center on the 20th day of July, 2018, at 10:00 a.m., at which time and place all persons interested in said tentative Adirondack Community College budget will be heard, and the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give due public notice of such hearing as required by law.

Warren County Board of Supervisors

RESOLUTION NO. 262 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY AND DRISCOLL

AMENDING RESOLUTION NO. 268 OF 2016; APPROVING STANDARD WORK DAY AND TIME REPORTING RESOLUTION FOR ALL ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT PURPOSES

RESOLVED, that Resolution No. 268 of 2016 be, and hereby is, amended accordingly regarding the standard workday and time reporting resolution for all elected and appointed officials in Warren County government as set forth in “Schedule A” attached, is hereby approved by the Warren County Board of Supervisors.

“Schedule A”

NAME	TITLE	SS# (LAST 4)	RETIREMENT REG. NO.	STANDARD WORK DAY (HRS/DAY)	TERM	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N)	AVG. DAYS PER MONTH (BASED ON RECORD OF ACTIVITIES)	TIER 1	NO SUBMISSION
ELECTED OFFICIALS									
Bachman, Paul M.D.	Coroner	XXXX	XXXXXXXXXX	7	01.01.18 - 12.31.21	N	.83		
Beaty, Douglas	Supervisor - Queensbury	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	14.01		
Braymer, Claudia	Supervisor - Glens Falls	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	3.48		
Carusone, Jason	District Attorney	XXXX	XXXXXXXXXX	7	01.01.18 - 12.31.21	N	26.26		
Dickinson, Dennis	Supervisor - Lake George	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	5.2	✓	
Driscoll, Bennet	Supervisor - Glens Falls	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	22.39		
Geraghty, Kevin	Supervisor - Warrensburg Chairman of the Board	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.21	N	12.47		
Leggett, Craig	Supervisor - Chester	XXXX	XXXXXXXXXX	6	01.01.16 - 12.31.19	N	4.86		
Loeb, William	Supervisor - Glens Falls	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	8.07		
Orluk, William	Coroner	XXXX	XXXXXXXXXX	7	01.01.15 - 12.31.18	N	--		✓
Simpson, Matthew	Supervisor - Horicon	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	13.25		
Sokol, Matthew	Supervisor - Queensbury	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	5.81		
Swan, Mike	County Treasurer	XXXX	XXXXXXXXXX	7	01.01.16 - 12.31.19	N	23.07		
Thomas, Frank	Supervisor - Stony Creek Budget Officer	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	12.92		
Vogel, Pamela	County Clerk	XXXX	XXXXXXXXXX	7	01.01.16 - 12.31.19	N	28.81		
APPOINTED OFFICIALS									
Combs, Jeffrey	Second Deputy Fire Coordinator	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	2.6		
Guy, Micki	EMS Coordinator	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	6.61		
Mellon Jr., Charles	Third Deputy Fire Coord.	XXXX	XXXXXXXXXX	6	01.01.18 - 12.31.19	N	6.39		

Warren County Board of Supervisors

RESOLUTION NO. 263 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON AND BRAYMER

**TERMINATING AGREEMENT WITH SARATOGA AND NORTH CREEK RAILROAD, LLC
AS THE RAILROAD OPERATOR**

WHEREAS, pursuant to Resolution No. 247 of 2011, the Warren County Board of Supervisors authorized an agreement with Saratoga and North Creek Railroad, LLC for use of the County Railroad and Supporting Facilities and Buildings for the operation of passenger and freight trains, now, therefore be it

RESOLVED, that the Warren County Board of Supervisors hereby terminates the agreement with Saratoga and North Creek Railroad, LLC effective immediately, and be it further

RESOLVED, that the Warren County Board of Supervisors authorizes the Chairman of the Board, the County Attorney, the County Administrator and the Superintendent of the Department of Public Works to execute any and all documents necessary to effectuate the termination of the agreement with Saratoga and North Creek Railroad, LLC, in a form approved by the County Attorney.