

Warren County Board of Supervisors

AGENDA FRIDAY MARCH 15, 2019 BOARD MEETING



10:00 a.m. Call Meeting to Order

Pledge of Allegiance - Supervisor Leggett

Roll Call

Motion to approve minutes of the February 15, 2019 Board Meeting and the February 28, 2019 Special Board Meetings, subject to correction by the Clerk of the Board

Chairman declares Public Hearing open on Warren County Community Development Block Grant Project No. 1197CP66-17, Countryside Adult Home Building Study, and requests Clerk read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

Chairman declares Public Hearing open on Warren County proposed Local Law No. 3 of 2019, entitled "Municipal Opioid Cost Recovery and Public Nuisance Legislation", and requests Clerk read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

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

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101	ROLL CALL	FINANCE - MAKING SUPPLEMENTAL APPROPRIATIONS
102	ROLL CALL	FINANCE - AMENDING WARREN COUNTY BUDGET FOR 2019 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY
103		COUNTY FACILITIES (AIRPORT) - AUTHORIZING OUT-OF-STATE TRAVEL FOR DON DEGRAW, AIRPORT MANAGER, TO ATTEND THE 2019 NEC/AAAE AIRPORTS CONFERENCE IN HERSHEY, PENNSYLVANIA
104		COUNTY FACILITIES (AIRPORT) - AUTHORIZING AGREEMENT WITH C&S ENGINEERS, INC. TO PROVIDE CONSULTING SERVICES RELATED TO ACQUIRING TWO (2) SNOW PLOWS FOR THE FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NEW YORK
105	ROLL CALL	COUNTY FACILITIES (AIRPORT) - AUTHORIZING LEASE AGREEMENT WITH IDEAL DAIRY FARMS, INC. TO LEASE A PORTION OF COUNTY OWNED PROPERTY AT THE FLOYD D. BENNETT MEMORIAL AIRPORT FOR HAY AND CROP PRODUCTION
106		COUNTY FACILITIES (BUILDINGS & GROUNDS) - AWARDED BID AND AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR SOLID WASTE, MEDICAL WASTE AND RECYCLING DISPOSAL SERVICES (WC 58-18)
107		CRIMINAL JUSTICE & PUBLIC SAFETY (DISTRICT ATTORNEY) - AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF VICTIM SERVICES TO FUND THE VICTIM ASSISTANCE PROGRAM FOR THE DISTRICT ATTORNEYS OFFICE
108		CRIMINAL JUSTICE & PUBLIC SAFETY (OFFICE OF EMERGENCY SERVICES) - AUTHORIZING OUT-OF-STATE TRAVEL FOR AMY DREXEL, EMERGENCY SERVICES COORDINATOR, TO ATTEND THE NATIONAL HOMELAND SECURITY CONFERENCE IN PHOENIX, ARIZONA
109		CRIMINAL JUSTICE & PUBLIC SAFETY (OFFICE OF EMERGENCY SERVICES) - APPROVING REVISED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN FOR WARREN COUNTY FOR OFFICE OF EMERGENCY SERVICES

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111		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>PUBLIC DEFENDER</i>) - AUTHORIZING EXTENSION OF THE PUBLIC DEFENSE CASE MANAGEMENT SYSTEM MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH NEW YORK STATE DEFENDERS ASSOCIATION, INC. FOR THE PUBLIC DEFENDER'S OFFICE
112		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>PUBLIC DEFENDER</i>) - AUTHORIZING FURTHER EXTENSION OF AGREEMENT (C000252) WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES
113		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>SHERIFF</i>) - AUTHORIZING AGREEMENT WITH TYLER TECHNOLOGIES TO PROVIDE MAINTENANCE AND SUPPORT TO TYLER CAD AND AEIGIS LERMS SOFTWARE FOR THE SHERIFF'S OFFICE
114		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>SHERIFF</i>) - AUTHORIZING AGREEMENT WITH OCV, LLC/THE SHERIFFAPP.COM TO BUILD AND MAINTAIN A PUBLIC SAFETY APPLICATION FOR IOS AND ANDROID DEVICES FOR THE SHERIFF'S OFFICE
115		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING</i>) - AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION OFFICE OF COMMUNITY RENEWAL
116		HEALTH, HUMAN & SOCIAL SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - AUTHORIZING RENEWAL AGREEMENT WITH HUDSON HEADWATERS HEALTH NETWORK TO PROVIDE CLINICIAN SERVICES FOR COUNTRYSIDE ADULT HOME
117		HEALTH, HUMAN & SOCIAL SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - AUTHORIZING AGREEMENT WITH ORKIN PEST CONTROL TO PROVIDE PEST CONTROL SERVICES AND RODENT CONTROL AT COUNTRYSIDE ADULT HOME

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119		HEALTH, HUMAN & SOCIAL SERVICES (<i>OFFICE FOR THE AGING</i>) - AUTHORIZING PAYMENT TO ADIRONDACK TECHNICAL SERVICES HEATING, AIR CONDITIONING AND REFRIGERATION, INC.
120		HEALTH, HUMAN & SOCIAL SERVICES (<i>OFFICE FOR THE AGING</i>) - AUTHORIZING AGREEMENT WITH BPI MECHANICAL SERVICE FOR AS NEEDED REPAIRS TO REFRIGERATION/FREEZER UNITS AND ICE MACHINES AT VARIOUS WARREN COUNTY BUILDINGS AND MEAL SITES
121		HEALTH, HUMAN & SOCIAL SERVICES (<i>OFFICE FOR THE AGING</i>) - AMENDING RESOLUTION NO. 62 OF 2019, WHICH AUTHORIZED AGREEMENTS FOR EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) WITH VARIOUS ORGANIZATIONS FOR OFFICE FOR THE AGING, TO ADJUST CONTRACT AMOUNTS
122		HEALTH, HUMAN & SOCIAL SERVICES (<i>PUBLIC HEALTH</i>) - AMENDING RESOLUTION NO. 205 OF 2009 WHICH AUTHORIZED AN AGREEMENT WITH ZIRMED, INC. FOR THE PURPOSE OF VERIFYING INSURANCES BEFORE BILLING TO EXPEDITE CLAIMS WITHOUT DENIALS, TO INCREASE RATES AND CHANGE CONTRACT TERMS FOR THE HOME CARE DIVISION
123		HEALTH, HUMAN & SOCIAL SERVICES (<i>PUBLIC HEALTH</i>) - AUTHORIZING AGREEMENT WITH HONEYWELL/RESIDIO LIFE CARE SOLUTIONS TO PURCHASE FIVE (5) GENESIS PERSONAL TOUCH TABLET A KITS WITH SCALE, SP02 (PULSE OXIMETER) AND BLOOD PRESSURE CUFF
124	ROLL CALL	LEGISLATIVE & RULES - ENACTING PROPOSED LOCAL LAW NO. 3 OF 2019 ENTITLED "MUNICIPAL OPIOID COST RECOVERY AND PUBLIC NUISANCE LEGISLATION"
125		LEGISLATIVE & RULES - A RESOLUTION OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES
126	ROLL CALL	PARK OPERATIONS & MANAGEMENT (O&M) - AUTHORIZING REDUCED FEE FOR USE OF THE FESTIVAL COMMONS AT THE CHARLES R. WOOD PARK FOR THE LAKE GEORGE LAND CONSERVANCY'S 2019 HIKE-A-THON EVENT

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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
127		PUBLIC WORKS (DPW) - AWARDING BID AND AUTHORIZING AGREEMENT WITH VARIOUS BIDDERS FOR COLD MILLING OF PAVEMENT FOR HIGHWAY REHABILITATION (WC 11-19)
128		PUBLIC WORKS (DPW) - AWARDING BID AND AUTHORIZING AGREEMENT WITH BELL & FLYNN, LLC FOR COLD IN PLACE RECYCLING (HAMMERMILL METHOD) (WC 15-19)
129		PUBLIC WORKS (DPW) - AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR SPRAY APPLIED WATERPROOFING MEMBRANE SERVICE (WC 19-19)
130		PUBLIC WORKS (SOLID WASTE) - AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR MUNICIPAL PAPER RECYCLING SERVICES (WC 17-19)
131	ROLL CALL	PERSONNEL & HIGHER EDUCATION - AMENDING TABLE OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2019
132	ROLL CALL	FINANCE - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE VEHICLE RESERVE TO DEPARTMENTAL BUDGETS TO PURCHASE VEHICLES; AMENDING 2019 WARREN COUNTY BUDGET
133		FINANCE - ADOPTING REVISED CREDIT CARD POLICY FOR WARREN COUNTY
<i>RESOLUTION NOS. 101 - 133 WERE DISTRIBUTED TO THE MEMBERS OF THE BOARD OF SUPERVISORS ON MARCH 7, 2019</i>		
134		SUPPORT SERVICES (SELF-INSURANCE) - ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH ONEGROUP TO PROVIDE PROPERTY AND CASUALTY INSURANCE CONSULTING SERVICES (WC 13-19)
135		SUPPORT SERVICES (SELF-INSURANCE) - ADOPTING AMENDED WARREN COUNTY TRAVEL POLICY AND COUNTY VEHICLE USE REGULATIONS
136		SUPPORT SERVICES (SELF-INSURANCE) - APPROVING REVISIONS TO THE WARREN COUNTY WORKPLACE VIOLENCE PREVENTION PLAN AND PROGRAM
137		SUPPORT SERVICES (SELF-INSURANCE) - ADOPTING REVISED WARREN COUNTY ALCOHOL & DRUG TESTING POLICY FOR EMPLOYEES HOLDING A COMMERCIAL DRIVERS LICENSE (CDL)

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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
138		SUPPORT SERVICES (<i>SELF-INSURANCE</i>) - ADOPTING REVISED WARREN COUNTY SUBSTANCE ABUSE POLICY FOR EMPLOYEES
<i>RESOLUTION NOS. 134-138 WERE PRODUCED AFTER MAILING PURSUANT TO ACTION TAKEN AT THE MARCH 7TH SUPPORT SERVICES COMMITTEE MEETING</i>		
139		TRAFFIC SAFETY BOARD - AUTHORIZING AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING WITH VARIOUS AGENCIES/ DEPARTMENTS CONCERNING STOP-DWI PROGRAM FOR 2019 - TRAFFIC SAFETY
140		TRAFFIC SAFETY BOARD - APPOINTING AND REAPPOINTING MEMBERS OF TRAFFIC SAFETY BOARD

RESOLUTION NOS. 139-140 WERE PRODUCED THROUGH THE OUT-OF-COMMITTEE REQUEST PROCESS

Warren County Board of Supervisors

Proclamation

WHEREAS, in 1982, the President's Task Force on Victims of Crime envisioned a national commitment to a more equitable and supportive response to victims; and

WHEREAS, this commemorative week celebrates the energy, perseverance and commitment that launched the victims' rights movement, inspired in its progress, and continues to advance the cause of justice for crime victims; and

WHEREAS, crime can leave a lasting impact on any person, regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status; and

WHEREAS, incorporating communities' existing experts and trusted sources of support into efforts to fully serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime; and

WHEREAS, with the unwavering support of their communities and victim service providers behind them, survivors will be empowered to face their grief, loss, fear, anger, and hope without fear of judgement, and will feel understood, heard, and respected; and

WHEREAS, serving victims and rebuilding their trust restores hope to victims and survivors, as well as support thriving communities; and

WHEREAS, engaging a broader array of healthcare providers, community leaders, faith organizations, educators, and businesses can provide new links between victims and services that improve their safety, healing, and access to justice; and

WHEREAS, honoring the rights of victims, including the rights to be heard and to be treated with fairness, dignity, and respect, and working to meet their needs rebuilds their trust in the criminal justice and social service systems; and

WHEREAS, National Crime Victims' Rights Week provides an opportunity to recommit to ensuring that all victims of crime - especially those who are challenging to reach or serve - are afforded culturally and linguistically accessible and appropriate services in the aftermath of crime; and

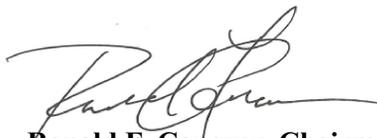
WHEREAS, Warren County is hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in or communities and our victim responders, and working for justice for all victims and survivors; now, therefore, be it

RESOLVED, that Warren County does hereby proclaim the week of April 7-13, 2019, as

NATIONAL CRIME VICTIMS' RIGHTS WEEK

and reaffirms Warren County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year and to express our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice and peace.

Dated: March 15, 2019



**Ronald F. Conover, Chairman
Warren County Board of Supervisors**

Warren County Board of Supervisors

RESOLUTION NO. 101 OF 2019

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 2019 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>
DEPARTMENT: SPECIAL ITEMS:				
A.1990 469	Contingent Account, Other Payments/Contributions	A.3110 260	Sheriff's Law Enforcement, Other Equipment	\$6,795.00

Warren County Board of Supervisors

RESOLUTION NO. 102 OF 2019

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

AMENDING WARREN COUNTY BUDGET FOR 2019 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2019 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>
MENTAL HEALTH/OFFICE OF COMMUNITY SERVICES		
<u>ESTIMATED REVENUE</u>		
A.4320.0150 3490	Mental Health Programs, 820 River Street - Mental Health, Mental Health	\$60,000.00
<u>APPROPRIATIONS</u>		
A.4320.0150 470	Mental Health Programs, 820 River Street - Mental Health, Contract	60,000.00
PUBLIC WORKS - DPW		
<u>ESTIMATED REVENUE</u>		
DM.5130 2680	Road Machinery, Machinery, Insurance Recoveries	509.15
<u>APPROPRIATIONS</u>		
DM.5130 441	Road Machinery, Machinery, Auto-Supplies & Repair	509.15
SHERIFF		
<u>ESTIMATED REVENUE</u>		
A.3020.4039 4380	Sheriff's 911 Center, 2018 Interoperable Comm Grant, State Homeland Security Program	522,261.00
<u>APPROPRIATIONS</u>		
A.3020.4039 470	Sheriff's 911 Center, 2018 Interoperable Comm Grant, Contract	133,636.00
A.3020.4039 260	Sheriff's 911 Center, 2018 Interoperable Comm Grant, Other Equipment	388,625.00

RESOLVED, that the supplemental appropriations or reductions in estimated revenues and appropriations set forth

RESOLUTION No. 102 OF 2019

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above are authorized and the County Treasurer be, and he hereby is, authorized and directed to amend the budget of Warren County for 2019 for the estimated revenues, appropriations and codes indicated, and be it further

RESOLVED, that the Warren County budget for 2019 is hereby amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 103 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LOEB, GERAGHTY, STROUGH, SIMPSON, FRASIER, WILD, McDEVITT, SOKOL, DIAMOND AND BRAYMER

AUTHORIZING OUT-OF-STATE TRAVEL FOR DON DEGRAW, AIRPORT MANAGER, TO ATTEND THE 2019 NEC/AAAE AIRPORTS CONFERENCE IN HERSHEY, PENNSYLVANIA

RESOLVED, that Don DeGraw, Airport Manager, is hereby authorized to attend the 2019 NEC/AAAE Airports Conference in Hershey, Pennsylvania on March 26, 2019 through March 29, 2019, at a cost not to exceed One Thousand Two Hundred Forty-Four Dollars (\$1,244) to be paid from Budget Code A.5610 444 Airport (D.P.W), Travel/Education/Conference.

Warren County Board of Supervisors

RESOLUTION NO. 104 OF 2019

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

AUTHORIZING AGREEMENT WITH C&S ENGINEERS, INC. TO PROVIDE CONSULTING SERVICES RELATED TO ACQUIRING TWO (2) SNOW PLOWS FOR THE FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NEW YORK

WHEREAS, the Airport Manager is requesting that the County enter into an agreement with C&S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, New York 13212 to provide consulting services related to acquiring two (2) snow plows for the Floyd Bennett Memorial Airport, Warren County, New York for an amount not to exceed Four Thousand Eight Hundred Dollars (\$4,800) for a term commencing upon receipt of the Federal Aviation Administration (FAA) grant funding award, and execution of the agreement by both parties and terminating upon the discontinuance of grant funding, now, therefore, be it

RESOLVED, that Warren County enter into an agreement with C&S Engineers, Inc., to provide consulting services related to acquiring two (2) snow plows for the Floyd Bennett Memorial Airport, Warren County, New York for a lump sum amount of Four Thousand Eight Hundred Dollars (\$4,800) for a term commencing upon receipt of the FAA grant funding award, and execution of the agreement by both parties and terminating upon the discontinuance of grant funding, 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, and be it further

RESOLVED, that the funds for this project shall be expended from FAA grant funding.

Warren County Board of Supervisors

RESOLUTION NO. 105 OF 2019

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

**AUTHORIZING LEASE AGREEMENT WITH IDEAL DAIRY FARMS, INC.
TO LEASE A PORTION OF COUNTY OWNED PROPERTY AT THE
FLOYD D. BENNETT MEMORIAL AIRPORT FOR HAY AND CROP PRODUCTION**

WHEREAS, as the operator of the Floyd D. Bennett Memorial Airport, Warren County is required to maintain the areas around the runways free from obstructions and obstacles such as trees, and

WHEREAS, agricultural cultivation of the outer fields of the airport property will achieve the goal of keeping the area free of obstructions to aviation and allow the land to serve a purpose as opposed to lying fallow, and

WHEREAS, the County Purchasing Agent has advertised a Request for Proposals (“RFP”) (WC 07-19) for a tenant to cultivate the outer fields and pay rent to the County on an escalating scale based on the percentage of the leased property used to grow hay, corn or a similar crop, and

WHEREAS, the Superintendent of the Department of Public Works has reviewed the proposals and has recommended that the County accept the proposal submitted by Ideal Dairy Farms, Inc. 239 Vaughn Road, Hudson Falls, New York 12839 (“Ideal”) as the most beneficial to the County, and

WHEREAS, the County Purchasing Agent and the Superintendent of the Department of Public Works recommend that the County enter into a five (5) year lease agreement with Ideal Dairy Farms, Inc. to commence upon execution and terminate in the year 2023, upon the terms set forth in the proposal and as amended during the term to reflect the commercially and agriculturally most beneficial use of the property as agreed between the Airport Manager, the Superintendent of the Department of Public Works and Ideal, with the option of one (1) additional five (5) year renewal, upon rates and terms agreed by Ideal and the County, and

WHEREAS, the Warren County Board of Supervisors has determined that the proposed leased

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premises are not needed for County purposes and that a reasonable rental return on said premises would be:

No charge for years 2019 through 2021;

Twenty Dollars (\$20) per acre for years 2022 through 2023,

now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby determines that it would be appropriate to consider the proposed long term five (5) year lease agreement, with the option of one (1) additional five (5) year renewal, for Ideal to cultivate the outer fields and pay rent to the County on an escalating scale based on the percentage of the leased property used to grow hay, corn or a similar crop , and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute a five (5) year lease agreement with Ideal Dairy Farms, Inc., to commence upon execution and terminate in the year 2023, with the option of one (1) additional five (5) year renewal, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 106 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LOEB, GERAGHTY, STROUGH, SIMPSON, FRASIER, WILD, McDEVITT, SOKOL, DIAMOND AND BRAYMER

AWARDING BID AND AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR SOLID WASTE, MEDICAL WASTE AND RECYCLING DISPOSAL SERVICES (WC 58-18)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Solid Waste, Medical Waste and Recycling Disposal Services (WC 58-18), and

WHEREAS, the Department of Public Works is requesting to enter into agreements with various vendors for solid waste, medical waste and recycling disposal services, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent notify the various vendors of the acceptance of their bid, and be it further

RESOLVED, that the Chairman of the Board be, and hereby is, authorized to execute agreements with the various vendors outlined on the attached Schedule "A," pursuant to the terms and provisions of the specifications (WC 58-18) and proposal, at the prices listed on the tab sheet, for a term commencing January 1, 2019 and terminating December 31, 2019, in a form approved by the County Attorney, and be it further

RESOLVED, that funding for these agreements will be paid from the appropriate departmental Budget Code.

SCHEDULE "A"		
SOLID WASTE, MEDICAL WASTE AND RECYCLING DISPOSAL SERVICES		
Subcontractor	Service Provided	Specifics
AdvoWaste Medical Services, LLC	Medical Waste	Municipal Center, Sheriff's Office, Countryside Adult Home
County Waste & Recycling Service d/b/a Ace Carting	Recycling Disposal Services	Sheriff's Office, Countryside Adult Home, Bolton Mealsite, Floyd Bennett Memorial Airport
Waste Management of New York, LLC	Recycling Disposal Services	Floyd Bennett Memorial Airport
Casella Waste Management, Inc.	Solid waste	Municipal Center, Floyd Bennett Memorial Airport

Warren County Board of Supervisors

RESOLUTION NO. 107 OF 2019

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

AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF VICTIM SERVICES TO FUND THE VICTIM ASSISTANCE PROGRAM FOR THE DISTRICT ATTORNEYS OFFICE

WHEREAS, the District Attorney is requesting approval to submit a grant application to the New York State Office of Victim Services to fund the Victim Assistance Program in an amount to be determined, for a term commencing October 1, 2019 and terminating September 30, 2022, with the option of two (2) additional one (1) year extensions, now, therefore, be it

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute a grant application to the New York State Office of Victim Services to fund the Victim Assistance Program in an amount to be determined, for a term commencing October 1, 2019 and terminating September 30, 2022 with the option of two (2) additional one (1) year extensions, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 108 OF 2019

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

AUTHORIZING OUT-OF-STATE TRAVEL FOR AMY DREXEL, EMERGENCY SERVICES COORDINATOR, TO ATTEND THE NATIONAL HOMELAND SECURITY CONFERENCE IN PHOENIX, ARIZONA

RESOLVED, that Amy Drexel, Emergency Services Coordinator, is hereby authorized to attend the National Homeland Security Conference in Phoenix, Arizona on June 15, 2019 through June 22, 2019, at a cost not to exceed One Thousand Eight Hundred Seventeen Dollars (\$1,817) plus taxes and fees, to be paid from Budget Code A.3640 444 Civil Defense, Travel/Education/Conference.

Warren County Board of Supervisors

RESOLUTION NO. 109 OF 2019

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

APPROVING REVISED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN FOR WARREN COUNTY FOR OFFICE OF EMERGENCY SERVICES

WHEREAS, the Director of the Office of Emergency Services has presented to the Public Safety Committee a revised Comprehensive Emergency Management Plan based upon the State Emergency Management Sample Plan, and

WHEREAS, Section 23 of Executive Law provides that in preparing such plans, cooperation, advice and assistance shall be sought from local government officials, regional and local planning agencies, police agencies, fire departments and fire companies, local civil defense agencies, commercial and volunteer ambulance services, health and social services officials, community action agencies, organizations for the elderly and the handicapped, other interested groups and the general public, and

WHEREAS, in revising the Plan, the County Emergency Services Coordinator received advice and assistance from local police, fire, public health agencies and other County Departments, as well as the State Emergency Management Office, Glens Falls Hospital, and The American Red Cross, now, therefore, be it

RESOLVED, that the revised Comprehensive Emergency Management Plan for Warren County is approved, as attached, and County officials and employees be and hereby are authorized to act in accordance with the terms and provisions of the same, and the Chairman of the Board of Supervisors and Director of the Warren County Office of Emergency Services be, and hereby are, authorized to take such other and further action as may be necessary to submit and/or file the plan with the appropriate state or local agencies, enact the same or otherwise cause the plan to be effective for all purposes provided under law, and be it further

RESOLVED, that a copy of the revised Comprehensive Emergency Plan shall be placed on file with the Clerk of the Board of Supervisors.

Warren County Board of Supervisors

RESOLUTION NO. 110 OF 2019

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

AUTHORIZING AGREEMENT WITH MOUNTAIN MEDICAL SERVICES, PLLC TO PROVIDE SPECIAL PHYSICAL EXAMINATIONS FOR HAZMAT TEAM MEMBERS WORKING WITH THE OFFICE OF EMERGENCY SERVICES AND RATIFYING THE ACTIONS OF THE CHAIRMAN OF THE BOARD IN EXECUTING SAID AGREEMENT

WHEREAS, the Director of the Office of Emergency Services has requested that the County enter into a new agreement with Mountain Medical Services, PLLC to provide the required hazardous materials team annual medical examinations for an amount not to exceed One Hundred Sixty Dollars (\$160) per team member for a term commencing upon execution and terminating upon sixty (60) days written notice, and

WHEREAS, the Director of the Office of Emergency Services has advised the Chairman of the Board signed said agreement with Mountain Medical Services, PLLC before the March 15, 2019 Board of Supervisors meeting and has asked that the actions of the Chairman be ratified regarding same, now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes an agreement with Mountain Medical Services, PLLC, 1937 Saranac Avenue, Lake Placid, NY 12946, to provide the required hazardous materials team annual medical examinations for team members at a rate not to exceed One Hundred Sixty Dollars (\$160) per member, for a term commencing upon execution and terminating upon sixty (60) days written notice, in the form approved by the County Attorney, and does ratify the actions of the Chairman of the Board in signing for said agreement before the resolution was approved, and be it further

RESOLVED, that said funds shall be expended from Code A.3410 435 Fire Prevention & Control - Medical Fees.

Warren County Board of Supervisors

RESOLUTION NO. 111 OF 2019

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

AUTHORIZING EXTENSION OF THE PUBLIC DEFENSE CASE MANAGEMENT SYSTEM MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH NEW YORK STATE DEFENDERS ASSOCIATION, INC. FOR THE PUBLIC DEFENDER'S OFFICE

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an extension of the Public Defense Case Management System Maintenance and Software Support Agreement with the New York State Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210-2314 (previously authorized by Resolution No. 204 of 2018), extending the term of the agreement for April 13, 2019 through April 12, 2020, in an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.1171 470 Public Defender, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 112 OF 2019

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

AUTHORIZING FURTHER EXTENSION OF AGREEMENT (C000252) WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS, pursuant to Resolution No. 541 of 2012, the Chairman of the Board of Supervisors was authorized to execute a grant application to the New York State Office of Indigent Legal Services to improve the quality of representation for indigent legal services in an amount not to exceed One Hundred Sixty Thousand Two Hundred Eighteen Dollars (\$160,218) for a term commencing June 1, 2012 and terminating May 31, 2015 (Contract #C000252) for the Warren County Public Defender's Office, and

WHEREAS, pursuant to Resolution No. 582 of 2015, the termination date was extended to May 31, 2016, and

WHEREAS, pursuant to Resolution No. 160 of 2016, the termination date was further extended to November 30, 2016, and

WHEREAS, pursuant to Resolution No. 227 of 2017, the termination date was further extended to November 30, 2018, and

WHEREAS, the Public Defender has requested that the termination date be further extended to November 30, 2019, and

WHEREAS, the Criminal Justice & Public Safety Committee has approved the request, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an extension agreement with the New York State Office of Indigent Legal Services to extend the termination date to November 30, 2019 (Contract #C000252), and be it further

RESOLVED, that other than the change outlined herein, all other terms and conditions will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 113 OF 2019

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

AUTHORIZING AGREEMENT WITH TYLER TECHNOLOGIES TO PROVIDE MAINTENANCE AND SUPPORT TO TYLER CAD AND AEIGIS LERMS SOFTWARE FOR THE SHERIFF'S OFFICE

RESOLVED, that Warren County enter into an agreement with Tyler Technologies, 840 West Long Lake Road, Troy, Michigan 48098, to provide maintenance and support to Tyler CAD and Aeigis LERMS software, for a term commencing January 1, 2019 and terminating December 31, 2019, with an option to extend the agreement for one (1) additional one (1) year term with a four percent (4%) increase in 2020, upon mutual agreement of the parties, in an amount not to exceed Sixty Thousand One Hundred Seventy-Seven Dollars and Fifty-Two Cents (\$60,177.52) in 2019 and in an amount not to exceed Sixty-Two Thousand Five Hundred Eighty-Four Dollars and Sixty-Two Cents (\$62,584.62) in 2020, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an agreement, and subsequent renewal agreements, 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. 114 OF 2019

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

AUTHORIZING AGREEMENT WITH OCV, LLC/THE SHERIFF APP.COM TO BUILD AND MAINTAIN A PUBLIC SAFETY APPLICATION FOR IOS AND ANDROID DEVICES FOR THE SHERIFF'S OFFICE

RESOLVED, that Warren County enter into an agreement with OCV, LLC/TheSheriffApp.com, 660 North College Street, Suite C, Auburn, Alabama 36830, to build and maintain a public safety application for IOS and Android devices, for a term commencing upon execution by both parties and terminating upon thirty (30) days written notice by either party, in an amount not to exceed Fourteen Thousand Five Hundred Forty Dollars (\$14,540), and be it further

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

RESOLVED, that the funds shall be expended from Inmate Commissary Funds.

Warren County Board of Supervisors

RESOLUTION NO. 115 OF 2019

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

AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION OFFICE OF COMMUNITY RENEWAL

WHEREAS, the County Planner is requesting approval to submit a grant application to the New York State Housing Trust Fund Corporation, Office of Community Renewal, with the amount of the grant to be determined, now, therefore, be it

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute and submit a grant application to the New York State Housing Trust Fund Corporation, Office of Community Renewal.

Warren County Board of Supervisors

RESOLUTION NO. 116 OF 2019

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

AUTHORIZING RENEWAL AGREEMENT WITH HUDSON HEADWATERS HEALTH NETWORK TO PROVIDE CLINICIAN SERVICES FOR COUNTRYSIDE ADULT HOME

WHEREAS, pursuant to Resolution No. 383 of 2016, the Chairman of the Board of Supervisors was authorized to execute an agreement with Hudson Headwaters Health Network, 9 Carey Road, Queensbury, New York 12804, to provide clinician services for Countryside Adult Home, now, therefore, be it

RESOLVED, that Board of Supervisors hereby authorized renewal of the agreement with Hudson Headwaters Health Network, 9 Carey Road, Queensbury, New York 12804, to provide clinician services for residents at the Countryside Adult Home for a term commencing January 1, 2019 and terminating December 31, 2019, in an amount not to exceed Fifteen Thousand Dollars (\$15,000), and for a term commencing January 1, 2020 and terminating December 31, 2020, in an amount not to exceed Fifteen Thousand Five Hundred Dollars (\$15,500), and be it further

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

RESOLVED, that the funds shall be expended from Budget Code A.6030 470 Countryside Adult Home, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 117 OF 2019

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

AUTHORIZING AGREEMENT WITH ORKIN PEST CONTROL TO PROVIDE PEST CONTROL SERVICES AND RODENT CONTROL AT COUNTRYSIDE ADULT HOME

RESOLVED, that Warren County enter into an agreement with Orkin Pest Control, 537 Queensbury Ave., Queensbury, NY 12804, to provide pest control services and rodent control at Countryside Adult Home for a term commencing April 1, 2019 and terminating March 31, 2022, in an amount not to exceed One Hundred Ten Dollars (\$110) per month for pest control services, plus and additional amount up to Five Hundred Dollars (\$500) per year for rodent control, and be it further

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

RESOLVED, that the funds shall be expended from Budget Code A.6030 470 Countryside Adult Home, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 118 OF 2019

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

AUTHORIZING AGREEMENT WITH 820 RIVER STREET, INC., BAYWOOD CENTER TO PROVIDE SUBSTANCE USE DISORDER (SUD) TREATMENT IN THE WARREN COUNTY CORRECTIONAL FACILITY

RESOLVED, that Warren County enter into an agreement with 820 River Street, Inc., Baywood Center, 551 Bay Road, Queensbury, New York 12804, to provide substance use disorder (SUD) treatment in the Warren County Correctional Facility for a term commencing April 1, 2019 and terminating December 31, 2019, in an amount not to exceed Sixty Thousand Dollars (\$60,000), and the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an agreement, and subsequent renewal agreements, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.4320.0150 470, Mental Health Programs, 820 River Street-Mental Health, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 119 OF 2019

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

AUTHORIZING PAYMENT TO ADIRONDACK TECHNICAL SERVICES HEATING, AIR CONDITIONING AND REFRIGERATION, INC.

WHEREAS, pursuant to Resolution No. 378 of 2015, the Chairman of the Board of Supervisors was authorized to execute an agreement with Adirondack Technical Services Heating, Air Conditioning and Refrigeration, Inc. to provide as needed repairs to equipment at various Warren County Buildings and Meal Sites, terminating December 31, 2018, and

WHEREAS, the Director of Office for the Aging has requested authorization to pay invoices totaling One Thousand Five Hundred Sixty-Seven Dollars and Thirty-Seven Cents (\$1,567.37) to Adirondack Technical Services Heating, Air Conditioning and Refrigeration, Inc. for services started in 2018 and completed after the contract termination date, and

WHEREAS, the Health, Human and Social Services Committee has approved the request, now therefore, be it

RESOLVED, that the Warren County Board of Supervisors authorizes the Warren County Auditor to make a one-time payment in the amount of One Thousand Five Hundred Sixty-Seven Dollars and Thirty-Seven Cents (\$1,567.37) to Adirondack Technical Services Heating, Air Conditioning and Refrigeration, Inc. for services started in 2018 and completed after the contract termination date, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.6772 422 OFA-Warren County, Repair/Maint-Equipment.

Warren County Board of Supervisors

RESOLUTION NO. 120 OF 2019

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

AUTHORIZING AGREEMENT WITH BPI MECHANICAL SERVICE FOR AS NEEDED REPAIRS TO REFRIGERATION/FREEZER UNITS AND ICE MACHINES AT VARIOUS WARREN COUNTY BUILDINGS AND MEAL SITES

WHEREAS, the Warren County Purchasing Department requested quotes for as needed repairs to refrigeration/freezer units and ice machines and other like equipment at sites located throughout Warren County, including Office for the Aging meal sites, Warren County Jail, Countryside Adult Home, the Department of Public Works and any other locations requiring such service, and

WHEREAS, there was one response to the request for quotes from BPI Mechanical Service, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes an agreement with BPI Mechanical Service, 95 Hudson River Road, Waterford, New York 12188, for a term commencing January 1, 2019 and terminating December 31, 2019, and allowing for two (2) additional one (1) year extensions provided there are no material changes, at an hourly rate of Eighty-Nine Dollars and Sixty-Six Cents (\$89.66) per hour during normal business hours and a sum not to exceed One Hundred Thirty-Four Dollars and Forty-Nine Cents (\$134.49) per hour for nights, weekends, and holidays, and a Thirty Percent (30%) markup for materials, and be it further

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

RESOLVED, that the funds shall be expended from various budget codes of the aforementioned departments.

Warren County Board of Supervisors

RESOLUTION NO. 121 OF 2019

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

AMENDING RESOLUTION NO. 62 OF 2019, WHICH AUTHORIZED AGREEMENTS FOR EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) WITH VARIOUS ORGANIZATIONS FOR OFFICE FOR THE AGING, TO ADJUST CONTRACT AMOUNTS

WHEREAS, pursuant to Resolution No. 62 of 2019, the Warren County Board of Supervisors authorized agreements (previously authorized by Resolution No. 75 of 2018) with various organizations to provide services under the Expanded In-Home Services for the Elderly Program (EISEP), and

WHEREAS, the Director of Office for the Aging has requested to adjust the amounts of the agreements under the Expanded In-Home Services for the Elderly Program (EISEP), now, therefore, be it

RESOLVED, that the Chairman of the Board be, and hereby is, authorized to execute amendment agreements with the various organizations outlined on the attached Schedule "A" to adjust the amounts of agreements, and be it further

RESOLVED, that unless there should be a material change in contract terms or provisions, or a change in the amount of the contracts, these agreements may be continually renewed and the Chairman of the Board of Supervisors is authorized to execute such agreements without the need for a further Board Resolution, upon mutual agreement of the parties and provided appropriations for same are included in the Office for the Aging budget, and be it further

RESOLVED, that these agreements shall automatically terminate upon the discontinuance of State or Federal funding available for such contract purpose, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 62 of 2019 will remain the same.

RESOLUTION NO. 121 OF 2019

SCHEDULE "A"					
EISEP FUNDS					
Subcontractor	Service Provided	Specifics	State Funds	County Funds	Totals
Glens Falls Hospital	Medical Alert	Warren - \$4,000; Hamilton - \$3,000; \$30 Set-up Fee; \$35 Monthly Fee	\$5,600	\$1,400	\$7,000
Greater Adirondack Home Aides, Inc.	PC1, PC2, CM and CD	PC1&PC2 - \$24/hr; CM - \$3,100/mo.; Add customer directed services	\$168,750	\$56,250	\$225,000
Ham. Co. DSS	CM	\$1,922/mo.	\$24,400	\$6,100	\$30,500
Ham. Co. Public Health	PC1 & PC2	PC1 & PC2 - \$30.31/hr.	\$26,325	\$8,775	\$35,100
Home Health Care Partners	PC1 & PC2	PC1 - \$25.40/hr. PC2 - \$25.69/hr.	\$32,000	\$8,000	\$40,000
Home Aide Services of the Central Adirondacks, Inc.	PC1 & PC2	PC1 & PC2 - \$25/hr.	\$32,000	\$8,000	\$40,000
Fort Hudson Health System	SADC	\$15/Transp. (One-way); \$35/half day; \$55/whole day	\$30,000	\$10,000	\$40,000
Countryside Adult Home	SADC	\$15 Transp. (one-way); \$45/whole day	\$16,366	\$4,092	\$20,458
TOTALS					\$438,058

Warren County Board of Supervisors

RESOLUTION NO. 122 OF 2019

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

AMENDING RESOLUTION NO. 205 OF 2009 WHICH AUTHORIZED AN AGREEMENT WITH ZIRMED, INC. FOR THE PURPOSE OF VERIFYING INSURANCES BEFORE BILLING TO EXPEDITE CLAIMS WITHOUT DENIALS, TO INCREASE RATES AND CHANGE CONTRACT TERMS FOR THE HOME CARE DIVISION

WHEREAS, pursuant to Resolution No. 205 of 2009, the Warren County Board of Supervisors authorized the Chairman of the Board to execute a subscriber agreement with Zirmed, Inc., for the purpose of verifying insurances before billing to expedite claims without denials for the Home Care Division, and which Resolution was subsequently amended by Resolution No. 617 of 2011 to allow for billing for Immunization Program, and by Resolution No. 632 of 2012 to allow for electronic remittances, and

WHEREAS, Zirmed, Inc. and Waystar have merged companies resulting in billing and address changes, and

WHEREAS, The Health Services' electronic billing system has been updated from Encore to Crescendo, and

WHEREAS, the Director of Public Health has requested that Resolution No. 205 of 2009 be amended to increase the monthly subscriber fee for the Division of Home Care to include the following:

1. Claims Management Fees - One Hundred Three Dollars and Ninety-Five Cents (\$103.95) per month, which includes five hundred (500) electronic claims, and additional claims exceeding five hundred (500) will be an additional Twenty-Five Cents (\$0.25) per claim;
2. Eligibility Verification Fees - Fifty-Two Dollars and Fifty Cents (\$52.50) per month, which includes two hundred fifty (250) claims, and additional inquiries exceeding two hundred fifty (250) will be an additional Twenty-Five Cents (\$0.25) per inquiry;
3. Annual Assessment Fee - One Hundred Twenty-Five Dollars (\$125)

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute

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an amendment agreement with Waystar/Zirned, Inc., now located at 888 Market Street, Suite 400, Louisville, Kentucky 40202 for the aforesaid change in services and amounts set forth in the preambles of this resolution for a term commencing April 1, 2019 and terminating upon thirty (30) days written notice by either party, 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 further amendment agreements with Waystar/Zirned, Inc. For aforesaid services, without the need for future resolutions as long as there is no more than a five percent (5%) overall rate increase, in a form approved by the County Attorney, and be it further

RESOLVED, that other than the above amendments, Resolution Nos. 2005 of 2009, 617 of 2011 and 632 of 2012 shall remain in full force and effect, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.4010 428 Health Services, Data Processing & Internet Fees.

Warren County Board of Supervisors

RESOLUTION NO. 123 OF 2019

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

AUTHORIZING AGREEMENT WITH HONEYWELL/RESIDIO LIFE CARE SOLUTIONS TO PURCHASE FIVE (5) GENESIS PERSONAL TOUCH TABLET A KITS WITH SCALE, SP02 (PULSE OXIMETER) AND BLOOD PRESSURE CUFF

RESOLVED, that Warren County enter into an agreement with Honeywell/Residio Life Care Solutions, 3400 Intertech Drive, Suite 200, Brookfield, Wisconsin 53045, to purchase five (5) Genesis Personal Touch Tablet A Kits with Scale, SP02 (pulse oximeter) and Blood Pressure Cuff for a term commencing March 15, 2019 and automatically renewing annually unless there is an increase in price exceeding five percent (5%), or until such time as the agreement is terminated by either party, in an amount not to exceed Six Thousand Three Hundred Twenty-Five Dollars (\$6,325) for the purchase of said tablets, and a recurring monthly monitoring fee not to exceed One Hundred Sixty-Five Dollars (\$165) per month, which includes a \$3 interface fee and \$30 built in 4G cellular fee per monitor, and be it further

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

RESOLVED, that the funds shall be expended from Budget Codes A.4010 4300.260 Health Services, DSRIP Program, Other Equipment and A.4010 428 Health Services, Data Processing & Internet Fees.

Warren County Board of Supervisors

RESOLUTION NO. 124 OF 2019

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

ENACTING PROPOSED LOCAL LAW NO. 3 OF 2019 ENTITLED “MUNICIPAL OPIOID COST RECOVERY AND PUBLIC NUISANCE LEGISLATION”

WHEREAS, a proposed Local Law was duly presented to the Board of Supervisors and considered by them, said proposed Local Law Entitled “Municipal Opioid Cost Recovery and Public Nuisance Legislation”, and

WHEREAS, the Board of Supervisors adopted Resolution No. 65 of 2019 on February 15, 2019 authorizing a public hearing to be held by the Board of Supervisors on the 15th day of March, 2019 at 10:00 a.m. in th Supervisors’ Room in the Warren County Municipal Center on the matter of the adoption of said proposed Local Law, ad notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing desiring to be heard, having been heard, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Warren, New York, on this 15th day of March, 2019, does hereby enact and adopt Local Law No. 3 of 2019 as annexed hereto, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, Clerk of the Board fo Supervisors, and County Attorney are hereby authorized to make such minor modifications to the Local Law as deemed necessary, and are authorized to execute, file and publish the Local Law and take all necessary actions for the promulgation thereof.

**COUNTY OF WARREN
LOCAL LAW NO. 3 OF 2019**

**A LOCAL LAW ENTITLED MUNICIPAL OPIOID COST RECOVERY AND PUBLIC
NUISANCE LEGISLATION**

I. Purpose and Statement of Intent

The opioid epidemic is sweeping the country. Indeed, addiction to and abuse of opioids is one of the greatest challenges facing Warren County. A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

The purpose and intent of this legislation is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

II. Definitions

“Costs” means all expenditures related to the opioid epidemic that directly or indirectly arise from the County’s response to a responsible party’s action or inaction.

“Responsible party” means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

“Wrongful Conduct” means conduct which causes the County to incur costs related to the opioid epidemic, causing it to be a public nuisance.

III. Governmental Function Cost Recovery

The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney’s fees, interest, and any other payment or type of damages the court deems proper.

IV. Effect of Criminal or Civil Proceedings on Governmental Function Cost Recovery

The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation giving rise to the criminal prosecution.

V. Public Nuisance

The County hereby finds and declares the following:

- 1) That addiction to and abuse of opioids is one of the greatest challenges facing the County;
- 2) That a cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years which practice continues today;
- 3) That there is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;
- 4) That the unnecessary selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on the County economy, wasted public resources, and a generation of narcotic dependence;

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- 5) That unnecessary selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;
- 6) That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety;
- 7) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege when selling and/or providing medication unnecessarily to our residents and must be held accountable; and
- 8) That it is the duty of the County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

VI. Retroactive Application

This legislation applies retroactively.

Warren County Board of Supervisors

RESOLUTION NO. 125 OF 2019

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

A RESOLUTION OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES

WHEREAS, Governor Cuomo's FY2020 Executive Budget proposed eliminating Aid and Incentive to Municipalities (AIM) funding for all of Warren County's towns and the Village of Lake George, and

WHEREAS, on February 15, 2019, Governor Cuomo announced a thirty (30) day amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to AIM funding by utilizing revenue from county sales tax, and

WHEREAS, instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties, and

WHEREAS, already existing unfunded State mandates are the cause of high local taxes in New York State, and

WHEREAS, counties were granted the authority to levy a local sales tax in the late 1960's to help pay for Medicaid, indigent legal defense services, and other state mandates on counties, and

WHEREAS, requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation, and

WHEREAS, currently nine (9) State mandated programs placed on counties equals more than Ninety percent (90%) of the typical County property tax levy, and these mandated costs continue to grow, and

WHEREAS, cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes, and

RESOLUTION No. 125 OF 2019

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WHEREAS, replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately result in higher property taxes, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors supports the full restoration of this state aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget, and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby 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, and all others deemed necessary and proper.

Warren County Board of Supervisors

RESOLUTION NO. 126 OF 2019

**RESOLUTION INTRODUCED BY SUPERVISORS MERLINO, DICKINSON, STROUGH AND FRASIER
(ALTERNATE MEMBER - SUPERVISOR HOGAN)**

**AUTHORIZING REDUCED FEE FOR USE OF THE FESTIVAL COMMONS AT THE
CHARLES R. WOOD PARK FOR THE LAKE GEORGE LAND CONSERVANCY'S
2019 HIKE-A-THON EVENT**

WHEREAS, the Park Operations & Management (O&M) Committee recognizes the value of programs administered and funded by the Lake George Land Conservancy and in recognition of such has suggested authorizing a reduced fee of \$500 for use of the Festival Commons at the Charles R. Wood Park during the Lake George Land Conservancy's 2019 Hike-a-Thon event to be held on July 5, 2019, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes a reduced fee of \$500 for use of the Festival Commons at the Charles R. Wood Park during the Lake George Land Conservancy's 2019 Hike-a-Thon event to be held on July 5, 2019.

Warren County Board of Supervisors

RESOLUTION NO. 127 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, MERLINO, FRASIER, DICKINSON, DIAMOND, LOEB, HYDE, MAGOWAN, WILD, HOGAN AND GERAGHTY

AWARDING BID AND AUTHORIZING AGREEMENT WITH VARIOUS BIDDERS FOR COLD MILLING OF PAVEMENT FOR HIGHWAY REHABILITATION (WC 11-19)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Cold Milling of Pavement for Highway Rehabilitation (WC 11-19), and

WHEREAS, the Superintendent of Public Works has recommended the following awards:

Line Item 1A - 2 Inches or Less:

- Primary Award - Rifenberg Construction Attn: Timothy Casey
159 Brick Church Road
Troy, NY 12180
- Secondary Award (1) - Callanan Industries Attn: Michael Mastropeitro
8 Southwoods Blvd, 4th Floor
Albany, NY 12211
- Secondary Award (2) - Peckham Road Corp. Attn: Mark Petramale
375 Bay Road Suite 201
Queensbury, NY 12804

Line Item 1B - 2 Inches to 4 Inches:

- Primary Award - Peckham Road Corp. Attn: Mark Petramale
375 Bay Road Suite 201
Queensbury, NY 12804
- Secondary Award (1) - Evolution Construction Services Attn: Jeffrey Russo
PO Box 511
Mechanicville, NY 12118
- Secondary Award (2) - Callanan Industries Attn: Michael Mastropeitro
8 Southwoods Blvd, 4th Floor
Albany, NY 12211

Line Item 1C - Greater than 4 Inches to 6 Inches:

- Primary Award - Peckham Road Corp. Attn: Mark Petramale
375 Bay Road Suite 201
Queensbury, NY 12804
- Secondary Award (1) - Evolution Construction Services Attn: Jeffrey Russo
PO Box 511
Mechanicville, NY 12118
- Secondary Award (2) - Callanan Industries Attn: Michael Mastropeitro
8 Southwoods Blvd, 4th Floor
Albany, NY 12211

now, therefore, be it

RESOLUTION No. 127 OF 2019

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RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify the aforementioned bidders of the acceptance of their proposals, and be it further

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute agreements with the above listed bidders, pursuant to the terms and provisions of the specifications (WC 11-19) and proposal, for a term commencing upon execution and terminating December 31, 2019, with the option for two (2) one (1) year renewals as long as there are no material changes, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from various Department of Public Works Projects.

Warren County Board of Supervisors

RESOLUTION NO. 128 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, MERLINO, FRASIER, DICKINSON, DIAMOND, LOEB, HYDE, MAGOWAN, WILD, HOGAN AND GERAGHTY

AWARDING BID AND AUTHORIZING AGREEMENT WITH BELL & FLYNN, LLC FOR COLD IN PLACE RECYCLING (HAMMERMILL METHOD) (WC 15-19)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Cold in Place Recycling (Hammermill Method) (WC 15-19), and

WHEREAS, the Superintendent of Public Works has issued correspondence recommending that Warren County award the contract to Bell & Flynn, LLC, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Bell & Flynn, LLC of the acceptance of its proposal, and be it further

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute an agreement with Bell & Flynn, LLC, 69 Bunker Hill Avenue, Stratham, New Hampshire 03885, for Cold in Place Recycling (Hammermill Method), pursuant to the terms and provisions of the specifications (WC 15-19) and proposal, for a term commencing upon execution by both parties and terminating December 31, 2019, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from various Department of Public Works Projects.

Warren County Board of Supervisors

RESOLUTION NO. 129 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, MERLINO, FRASIER, DICKINSON, DIAMOND, LOEB, HYDE, MAGOWAN, WILD, HOGAN AND GERAGHTY

AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR SPRAY APPLIED WATERPROOFING MEMBRANE SERVICE (WC 19-19)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Spray Applied Waterproofing Membrane Service (WC 19-19), and

WHEREAS, the bids will be opened on March 5, 2019 and the recommendation of the lowest responsible bidder may not be approved by the Superintendent of the Department of Public Works prior to the Board of Supervisors meeting on March 15, 2019, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify the approved lowest responsible bidder of the acceptance of its bid, after recommendations and approval have been received from the Superintendent of the Department of Public Works, and be it further

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute an agreement with the lowest responsible bidder relative to Spray Applied Waterproofing Membrane Service, pursuant to the terms and provisions of the specifications (WC 19-19) and proposal, for a term commencing upon execution by both parties and terminating December 31, 2019, with the option for two (2) one (1) year renewals as long as there are no material changes, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from various Department of Public Works Projects.

Warren County Board of Supervisors

RESOLUTION NO. 130 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, MERLINO, FRASIER, DICKINSON, DIAMOND, LOEB, HYDE, MAGOWAN, WILD, HOGAN AND GERAGHTY

AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR MUNICIPAL PAPER RECYCLING SERVICES (WC 17-19)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Municipal Paper Recycling Services (WC 17-19), and

WHEREAS, the bids will be opened on February 28, 2019 and the recommendation of the lowest responsible bidder may not be approved by the Superintendent of the Department of Public Works prior to the Board of Supervisors meeting on March 15, 2019, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify the approved lowest responsible bidder of the acceptance of its bid, after recommendations and approval have been received from the Superintendent of the Department of Public Works, and be it further

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute an agreement with the lowest responsible bidder relative to Municipal Paper Recycling Services, pursuant to the terms and provisions of the specifications (WC 17-19) and proposal, for a term commencing January 1, 2019 and terminating December 31, 2019, with the option for one (1) one (1) year renewal as long as there are no material changes, and the Chairman is also authorized to execute any intermunicipal agreements deemed necessary and proper in association with these services, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from various Department of Public Works Projects.

Warren County Board of Supervisors

RESOLUTION NO. 131 OF 2019

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 2019

RESOLVED, that the Table of Organization and the Warren County Salary and Compensation Plan for 2019 are hereby amended as follows:

CIVIL SERVICE

ADMINISTRATION

<u>Deleting Position:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
A.1430.110		
<u>TITLE:</u> Principal Personnel Clerk	03/18/2019	\$44,342

Creating Position:

A.1430.110		
<u>TITLE:</u> Civil Service Specialist	03/18/2019	\$43,500

<u>Deleting Position:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
A.1430.110		
<u>TITLE:</u> Senior Personnel Clerk	03/18/2019	\$36,977

Creating Position:

A.1430.110		
<u>TITLE:</u> Civil Service Assistant	03/18/2019	\$40,000

<u>Decrease Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
A.1430.110		
<u>TITLE:</u> Clerk-Temp	03/18/2019	\$5,000

Decrease Salary To:

A.1430.110		
<u>TITLE:</u> Clerk-Temp	03/18/2019	\$2,819

DEPARTMENT OF PUBLIC WORKS

<u>Decrease Salary From:</u> <u>A.7111.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Environmental Education Administrator	04/01/2019	\$58,338

<u>Decrease Salary To:</u> <u>A.7111.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Environmental Education Administrator	04/01/2019	\$50,000

<u>Creating Position:</u> <u>D.7111.130</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Assistant Naturalist - Temp	03/18/2019	\$4,000 Grade 2

SOCIAL SERVICES

<u>Deleting Position:</u> <u>A.6030.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Caseworker - PT	03/18/2019	\$21,695 Grade 16

<u>Creating Position:</u> <u>A.6010.110 and A.6030 110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Case Manager	03/18/2019	\$40,954 Grade 14

<u>Creating Position:</u> <u>A.6010.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Account Clerk - Temporary (up to 6 months)	03/18/2019	\$29,333 Grade 4

VETERANS SERVICES

<u>Creating Position:</u> <u>A.6510.0125 130</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Program Coordinator Peer-to- Peer Support Services - Temp., PT	04/29/2019	\$21,684 Not to exceed 20 hours per week

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COUNTY ATTORNEY

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1420.110</u>		
<u>TITLE:</u>	04/01/2019	\$66,690
1 st Assistant County Attorney		

<u>Increasing Salary To:</u>		
<u>A.1420.110</u>		
<u>TITLE:</u>	04/01/2019	\$67,258
1 st Assistant County Attorney		

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1420.110</u>		
<u>TITLE:</u>	04/01/2019	\$62,142
2 nd Assistant County Attorney		

<u>Increasing Salary To:</u>		
<u>A.1420.110</u>		
<u>TITLE:</u>	04/01/2019	\$62,150
2 nd Assistant County Attorney		

DISTRICT ATTORNEY

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1165.110</u>		
<u>TITLE:</u>	04/01/2019	\$98,185
1 st Assistant District Attorney		

<u>Increasing Salary To:</u>		
<u>A.1165.110</u>		
<u>TITLE:</u>	04/01/2019	\$101,995
1 st Assistant District Attorney		

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1165.110</u>		
<u>TITLE:</u>	04/01/2019	\$79,182
2 nd Assistant District Attorney		

<u>Increasing Salary To:</u>		
<u>A.1165.110</u>		
<u>TITLE:</u>	04/01/2019	\$82,078
2 nd Assistant District Attorney		

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DISTRICT ATTORNEY

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1165.110</u>		
<u>TITLE:</u> 3 rd Assistant District Attorney	04/01/2019	\$77,070

<u>Increasing Salary To:</u> <u>A.1165.110</u>		
<u>TITLE:</u> 3 rd Assistant District Attorney	04/01/2019	\$84,975

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1165.110</u>		
<u>TITLE:</u> 4 th Assistant District Attorney	04/01/2019	\$68,096

<u>Increasing Salary To:</u> <u>A.1165.110</u>		
<u>TITLE:</u> 4 th Assistant District Attorney	04/01/2019	\$75,200

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1165.110</u>		
<u>TITLE:</u> 5 th Assistant District Attorney	04/01/2019	\$60,178

<u>Increasing Salary To:</u> <u>A.1165.110</u>		
<u>TITLE:</u> 5 th Assistant District Attorney	04/01/2019	\$69,275

<u>Increasing Salary From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.1165.110</u>		
<u>TITLE:</u> 6 th Assistant District Attorney	04/01/2019	\$54,371

<u>Increasing Salary To:</u> <u>A.1165.110</u>		
<u>TITLE:</u> 6 th Assistant District Attorney	04/01/2019	\$67,258

RESOLUTION No. 131 OF 2019

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DISTRICT ATTORNEY

<u>Increasing Salary From:</u> <u>A.1165.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> 7 th Assistant District Attorney	04/01/2019	\$52,260

<u>Increasing Salary To:</u> <u>A.1165.110</u>	04/01/2019	\$65,258
<u>TITLE:</u> 7 th Assistant District Attorney		

SOCIAL SERVICES

<u>Increasing Salary From:</u> <u>A.6010.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Social Services Attorney	04/01/2019	\$77,500

<u>Increasing Salary To:</u> <u>A.6010.110</u>	04/01/2019	\$77,688
<u>TITLE:</u> Social Services Attorney		

<u>Decreasing Salary From:</u> <u>A.6010.110</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>TITLE:</u> Assistant Social Services Attorney - Part Time	04/01/2019	\$37,741

<u>Decreasing Salary To:</u> <u>A.6010.110</u>	04/01/2019	\$34,260
<u>TITLE:</u> Assistant Social Services Attorney - Part Time		

Warren County Board of Supervisors

RESOLUTION NO. 132 OF 2019

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

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE VEHICLE RESERVE TO DEPARTMENTAL BUDGETS TO PURCHASE VEHICLES; AMENDING 2019 WARREN COUNTY BUDGET

RESOLVED, that the Warren County Board of Supervisors hereby appropriates funds in the amount of Ninety-Seven Thousand Two Hundred Forty-Seven Dollars (\$97,247) from the Reserve, Vehicles (A 896.00), to the following Departmental budgets to purchase vehicles:

CODE	DEPARTMENT	AMOUNT
A.3620 230.1	Building & Fire Code, Automotive Equipment-Reserve	\$ 22,468.00
A.4010 230.1	Health Services, Automotive Equipment-Reserve	\$ 13,093.00
A.6010 230.1	Social Services, Automotive Equipment-Reserve	\$ 61,686.00
	TOTAL	\$ 97,247.00

and be it further

RESOLVED, that the Warren County Budget for 2019 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 133 OF 2019

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

ADOPTING REVISED CREDIT CARD POLICY FOR WARREN COUNTY

WHEREAS, the Board of Supervisors adopted the Credit Card Policy for Warren County by Resolution No. 222 of 2015, which was subsequently amended by Resolution No. 460 of 2015, and

WHEREAS, the County Administrator has requested revisions to said Credit Card Policy to authorize an additional credit card in the name of the Clerk of the Board with a monthly limit of Thirty Thousand Dollars (\$30,000) to be used exclusively by the Tourism Department, as well as to eliminate Section IV(B) of the Credit Card Policy as it is no longer applicable, and

WHEREAS, the Finance Committee has reviewed the changes requested by the County Administrator and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Credit Card Policy for Warren County annexed hereto along with Schedules “A-F”, be and the same is hereby adopted as the official Credit Card Policy for Warren County, and be it further

RESOLVED, that any and all prior Credit Card Policies, Resolutions or parts thereof inconsistent with the annexed Credit Card Policy for Warren County are hereby repealed effective March 15, 2019.

**COUNTY OF WARREN
CREDIT CARD POLICY**

I. OVERVIEW AND PURPOSE

A. Overview.

The use of conventional credit cards (hereinafter “credit cards”) and/or ghost credit cards (credit accounts without the issuance of a physical plastic card for volume purchases where physical cards are not needed or desired and hereinafter “ghost cards”) can be a cost effective method of obtaining products and services for the County. Credit and/or ghost cards can also save personnel time. Travel, training and other similar expenses are more practically and easily handled through the credit card process. In certain cases and depending on the source of the credit or ghost card and terms thereof, the County may even be able to gain additional savings when using a credit and/or ghost card to make purchases of equipment, fuel, materials and/or supplies.

B. Purpose.

To establish the Policy and Procedures for the use of County credit and/or ghost cards by Department Heads or their designee(s). These procedures are intended to accomplish the following:

1. To ensure that the procurement with credit and ghost cards is accomplished pursuant to the policy and procedures established by the County Board.
2. To ensure appropriate internal controls are established within each department procuring with credit and/or ghost cards so that they are used for authorized purposes only.
3. To enhance productivity, significantly reduce paperwork, improve internal controls and reduce the overall cost associated with approved purchases as listed below.
4. To ensure that the County bears no legal liability from inappropriate use of credit and/or ghost cards.

II. ADMINISTRATION OF THE COUNTY’S RELATIONSHIP WITH THE BANK ISSUING THE CREDIT CARD

A. Obtaining Credit Cards and Ghost cards

1. Credit cards shall be obtained from the bank or financial institution authorized by resolution of the County Board of Supervisors. Ghost cards for high volume purchases shall be obtained from the same banking institution that credit cards are obtained from and as authorized by the County Board of Supervisors.
2. Once credit cards and/or Ghost cards are authorized by the Board of Supervisors, the County Administrator will coordinate and arrange for issuance of credit and/or ghost cards in accordance with this policy.
3. The County Administrator and Treasurer shall review enrollment forms, verify all information, and submit an application for credit and/or ghost cards to the bank or financial institution identified in subparagraph (1) hereof. The Chairman of the Board of Supervisors shall sign the enrollment forms on behalf of the County.
4. Credit and/or ghost cards shall be issued to:
 - a. Those Department Heads (hereinafter “Cardholders”);

- b. For the purposes indicated and at the expenditure limits set forth in *Schedule "A"* which may be amended from time to time by further resolution of the County Board of Supervisors.
5. All Cardholders shall execute the Cardholder authorization form annexed hereto as *Schedule "B"* and sign the back of the credit card upon receipt (signature on ghost cards is not possible and hence not necessary).
6. The aggregate County credit limit for all issued credit and ghost cards shall be \$292,000.

B. Contact With Card Issuer Representatives.

1. The following officials are authorized to discuss credit card invoices, payments, disputes, temporary limit excess and similar matters:
 - a. Treasurer or designee.
 - b. County Administrator.
 - c. Assistant County Administrator.
2. Cardholders are authorized to discuss credit card invoices, disputes and lost or stolen cards for their for respective department issued credit and/or ghost card(s).

C. Online Management of Credit Cards.

The County Administrator, the Assistant County Administrator and/or designee of the County Administrator shall arrange for online management of credit and/or ghost cards including required passwords for purposes of viewing account expenditures and payments, card charge requests, new applications, reconciling invoices and other features typically offered by Banks or credit card issuers as online management tools.

III. USE OF THE CREDIT CARD, REVOCATION AND RECORD KEEPING

A. Authorized Users

1. The Cardholder who is issued the card or ghost card is the only person authorized to use that card, except:
 - a. In the instance of the Clerk of the Board who may authorize other County officials or employees to use the card for lodging or general use using the forms annexed hereto as *Schedules "C" and "D"*; and
 - b. With respect to the other Cardholders, the Cardholder may allow staff in their respective County Departments to make purchases using the cards or ghost cards, but this shall only be allowed after the credit card use form annexed hereto as *Schedule "C" or "D"* is completed.

B. Authorized Purchases

The credit card or ghost card is to be used in the conduct of the County's business only. The use of a County credit card or ghost card to acquire or purchase goods and services for other than official use of the County is fraudulent use and will subject the employee to disciplinary action up to and including dismissal. In addition, the fraudulent use will be reported to the appropriate law enforcement agency for investigation and possible prosecution.

C. Rules of Use

The following restrictions will apply to purchases made with credit or ghost cards:

1. The goods or services must be budgeted and legally allowable.

2. The total value of a transaction shall not exceed a Cardholders card limit. Payment for a purchase WILL NOT be split into multiple transactions to stay within the card limit.
3. Spending limits for the month must be adhered to.
4. Credit and/or ghost card users must inform the merchant that the purchase is tax exempt and provide tax exempt form as necessary.
5. Credit card and/or ghost card users must retain vendors receipts and/or records of telephone, Internet, and/or mail orders for future reconciliation of the credit card statement. Cardholders or designees shall attach receipts, etc. to the invoice batch submitted to the County Auditor when requesting payment of credit and/or ghost card purchases attributable to the Cardholder or the Cardholder's Department as appears on monthly statements.
6. Credit card and/or Ghost card users must still complete Purchase Orders as required by the County Purchasing Policy (identifying the credit/ghost card issuing bank as payee and providing details as to the service or item purchased). Nothing in this policy shall be construed as a means to circumvent the existing Purchasing Policy of the County in regards to bidding requirements, both formal and informal.
7. Any incentive program benefits arising from the use of County credit cards and/or ghost cards shall be the property of the County and deposited in the County General Fund. The County Board of Supervisors shall determine the use of such incentives, if any.

D. Unauthorized Credit or ghost Card Use

1. The credit and/or ghost card SHALL NOT BE USED for the following:
 - a. Personal purchases or identification.
 - b. A purchase that exceeds the Cardholder=s monthly purchase limit.
 - c. Cash advances.
2. A credit card or ghost card user who makes unauthorized purchases shall be liable for the total dollar amount of such unauthorized purchases, plus any administrative fees charged by the Bank or card company in connection with the misuse.

E. Cardholder Record Keeping

1. When the purchase is made over-the-counter, the credit/ghost card user shall retain the invoice and "customer copy" of the charge receipt. The credit/ghost card user is responsible for checking that the vendor lists the quantity, fully describes the item(s), and includes any tax prior to the credit card user signing the slip. Invoices for meals, hotel stays, etc. will include an itemized list of all items and services purchased.
2. When the purchase is made on the Internet, the credit/ghost card user shall print a copy of the receipt and order confirmation before exiting the site.
3. When a purchase is made over the telephone, the credit/ghost card user shall have the vendor fax or email them a copy of the receipt.
4. When the purchase is made by mail, the credit/ghost card user shall retain all confirmations and shipping documentation.
5. When an item is returned, the vendor shall issue a credit, which should appear on a subsequent statement. *Under no circumstances should the credit/ghost card user or Cardholder accept cash in lieu of a credit of the credit card account.*

F. Review of Monthly Statement

1. At the end of each billing cycle, the Cardholder or staff member designated in writing or by email shall receive his/her monthly statement of account that will list the transactions to the Cardholders credit card for that period.
2. The Cardholder or staff member designated in writing or by email shall check each transaction listed on the monthly statement against the authorizations to verify that the statement is correct. If an item is returned and a credit voucher received, the Cardholder or designee shall verify that this credit is reflected on the monthly statement.
3. If purchased items are not listed on the monthly statement, the appropriate transaction documentation shall be RETAINED by the Cardholder until the next monthly statement. If the purchase or credit does not appear on the statement within 60 days after the date of purchase or return, the Cardholder shall notify the County Administrator and the Treasurer.
4. If in reviewing the monthly statement, if it is known that an item purchased was found to be unacceptable or not received or not even ordered, the Cardholder or designee is responsible for either, obtaining the item, obtaining a replacement or indicating a dispute of a non-ordered item as soon as possible as indicated herein. In the case of an item that has been ordered that is not acceptable, the Cardholder should attempt to receive that item by the date the Cardholder receives his monthly statement or consider placing the item into dispute. If any items are placed in dispute by the Cardholder, it should be documented using *Schedule "E"* Transaction Dispute Form and attached to the statement with the originals to be forwarded to the County Auditor and a copy of all documents to be forwarded to the County Administrator or the Assistant County Administrator who shall handle and/or process the dispute as may be determined appropriate.

G. Cardholder Security

1. It is the Cardholders responsibility to safeguard the credit/ghost card and account number and any security codes to the same degree that a Cardholder safeguards his/her personal credit information. A violation of this trust will result in that Cardholder having his/her credit/ghost card withdrawn and disciplinary action.
2. If a credit card or a ghost card number or security code is lost or stolen, the Cardholder shall immediately notify the credit card company, representatives are available 24 hours a day. The County Administrator and Treasurer should also be notified and the Lost/Stolen Card Notification form, *Schedule "F"*, filled out.
3. A new credit or ghost card shall be promptly issued to the Cardholder after the reported loss or theft. A credit card that is subsequently found by the Cardholder after being reported lost shall be submitted to the County Administrator who will then forward the card to the Treasurer for destruction.

H. Cardholder Separation

Prior to separation from the County of Warren, the Cardholder shall surrender the credit card and current credit card proofs of purchase to the County Administrator. Upon its receipt, the County Administrator will follow the steps outlined under Review of Monthly Statement and Payment of Credit Card Purchases, and forward the card to the Treasurer to be destroyed. Any Cardholder ghost cards shall likewise be terminated and new ghost cards established.

I. Revocation of Credit Card Privileges

1. The issuance of a credit card and/or ghost card to an employee is done at the discretion of the County Board of Supervisors.
2. Failure to comply with proper record keeping procedures as outlined in this policy will be cause to revoke the employee's credit and/or ghost card privileges.
3. Repeated loss or theft of any issued credit or ghost card will be cause to revoke the employee's credit/ghost card use privilege. Failure to immediately report the theft/loss of a card upon discovery may also lead to revocation of the credit/ghost card privilege.

IV. DOCUMENT SUBMISSION AND PAYMENT OF MONTHLY CREDIT/GHOST CARD INVOICE

A. General County Department Procedure

Original sales documents (packing slip, invoice, cash register tape, credit card slips, etc.) for each transaction MUST be neatly attached to the credit card statement and attach the same to the account payable batch and submit the same to the Auditor's Office within five (5) business days of receiving the monthly statement.

B. County Auditor Review and Payment by Treasurer

1. The Auditors Office will a) review the documents for accuracy; b) review whether the charges are to the proper accounts, and c) approve the statement for payment.
2. The County Treasurer or staff member designated in writing shall be authorized to access the County's credit account online in order to verify charges and make or push online payments.
3. All purchases made with credit and/or ghost cards shall be paid for within the grace period so that no interest charge or penalties will accrue.

V. AUDITS

The Treasurer may, at the Treasurer's discretion, conduct random audits for both card authority and receipt retention as well as statement review.

SCHEDULE "A"

Credit card and/or ghost cards shall be issued to the Department Heads (hereinafter "Cardholders") for the purposes and monthly limits set forth:

- a. Three credit cards in the name of the Clerk of the Board of Supervisors, in care of the County of Warren, for travel and lodging and general use purposes each with a monthly credit limit of \$10,000;
- b. One credit card in the name of the Clerk of the Board of Supervisors, in care of the County of Warren, for use by the Warren County Tourism Department, for travel and lodging and general use purposes with a monthly credit limit of \$30,000;
- c. One credit card in the name of the Sheriff for travel and lodging and general use purposes, with a monthly credit limit of \$10,000;
- d. One credit card in the name of the Undersheriff for travel and lodging and general use purposes, with a monthly credit limit of \$10,000;
- e. One credit card in the name of the Superintendent of the Department of Public Works for E-bay fees only with a monthly credit limit of \$1,000;
- f. One credit card in the name of the Purchasing Agent for eBay fees only with a monthly credit limit of \$1,000; and
- g. Up to five ghost cards in the name of the Department(s) individually and for use with high volume vendors as selected by the County Administrator with four cards to have a monthly credit limit not to exceed \$15,000 and one card to have a monthly credit limit not to exceed \$150,000.

Use of credit cards for travel and lodging shall be for the purposes set forth as *Schedule "D"*.

Use of credit cards for general purposes shall include purchases of a small dollar amount, food service, fuel, supplies, materials, conference registrations, hardware store purchases, Federal Express, United Parcel Service and postal charges, other miscellaneous items authorized in Department Budgets, except when the County has an established account or using a ghost account with a vendor in which case that account shall be used and not the credit card. General purposes shall not include alcoholic beverages, tobacco, lottery tickets, cash advances or ATMs or purchases that require Board Resolutions until such a Board Resolution has been adopted.

SCHEDULE "B"

**ACKNOWLEDGMENT OF RECEIPT OF THE
MASTERCARD PURCHASE CARD**

Last 4 digits of card: _____

I acknowledge that, on the date indicated below, I received a Purchase Card for my Department's use. I have previously received a copy of the County Credit Card Policy which set forth, among other things, Cardholder use and responsibilities. I understand that:

The Purchase Card is a cost-effective method for the purchase and payment of small dollar material transactions and is limited to \$_____ per month.

The Purchase Card is to be used solely for business purchases; not personal purchases.

I am responsible for reconciling monthly statements and maintaining accurate accounting records.

Should my employment with Warren County terminate, I am responsible for returning the Purchase Card to the County Administrator.

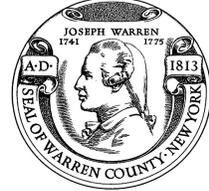
Department Head Name: _____
(Please Print)

Department Head Signature: _____

Date: _____

Warren County Board of Supervisors

WARREN COUNTY MUNICIPAL CENTER
1340 STATE ROUTE 9
LAKE GEORGE, NEW YORK 12845-9803



Telephone 518-761-6535
Fax 518-761-7652

Ronald F. Conover, Chairman

Amanda Allen, Clerk of the

SCHEDULE "C"

GENERAL CREDIT CARD AUTHORIZATION

Date: _____ Appropriation Code: _____ Amount \$ _____

Purchase Order # (if required): _____

This is to confirm _____ is authorized to use my credit card for
_____ (merchandise) for County purposes.

All purchases are tax exempt.

Vendor Name: _____

Date of Purchase: _____

Name on credit card: Clerk of the Board (Amanda Allen)

Card Number: Ending in: _____ MasterCard / Visa / Other _____

Expiration Date: _____

Call me at (518) 761-7656 with any questions.

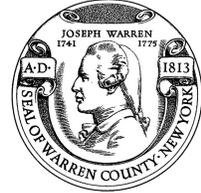
I understand that I am responsible for all charges noted above that are incurred on this account.

CARDHOLDER'S SIGNATURE _____

CARDHOLDER'S NAME (please print) Clerk of the Board (Amanda Allen)

Warren County Board of Supervisors

WARREN COUNTY MUNICIPAL CENTER
1340 STATE ROUTE 9
LAKE GEORGE, NEW YORK 12845-9803



Telephone 518-761-6535
Fax 518-761-7652

Ronald F. Conover, Chairman

Amanda Allen, Clerk of the Board

SCHEDULE "D" TRAVEL CREDIT CARD AUTHORIZATION

Date: _____ Appropriation Code: _____ Amount: \$ _____

This is to confirm _____ is authorized to use my credit card for airline tickets, hotel charges and conference fees (as listed below) for County purposes. All purchases are tax exempt.

AIRLINE TICKETS:

Date of Purchase: _____ Name of Airline: _____

HOTEL CHARGES:

Name and address of hotel: _____

Arrival Date: _____ Departure Date: _____

- Room and room tax charges (tax exempt must have form)
- Long distance phone calls
- Banquet and meeting room charges
- Local phone calls
- Restaurant charges
- Laundry charges

CONFERENCE FEES:

Date of Purchase: _____ Name of Organization (ie. NYSAC): _____

Name on credit card: Clerk of the Board (Amanda Allen)

Card Number: Ending in: _____ MasterCard / Visa / Other _____

Expiration Date: _____

Call me at (518) 761-7656 with any questions.

I understand that I am responsible for all charges noted above that are incurred on this account.

CARDHOLDER'S SIGNATURE _____

CARDHOLDER'S NAME (please print) Clerk of the Board (Amanda Allen)

SCHEDULE "E"

COUNTY OF WARREN
TRANSACTION DISPUTE FORM

Cardholder Information:

Cardholder's Name: _____

Card Number: _____

Cardholder's Signature: _____ Date: _____

Vendor Name: _____

Statement Date: _____ Transaction Date: _____

Transaction No. _____ Posting Date: _____

Amount Disputed: _____

Dispute:

The item referenced above is being disputed because:

___ There is a difference in the amount I authorized and the amount I was billed.
(A copy of your charge must be attached)

___ I only transacted one charge and I was previously billed for it.
(Date of Purchase charge: _____)

___ The above transaction is mine, but I am disputing the transaction.
(Please state your reason for the denial in detail)

___ I do not recognize the above transaction.

___ I have received a credit voucher for the above transaction, but it has not yet appeared on my account. (A copy of the credit voucher must be attached)

___ My account has been charged for the above transaction, but I have not received the merchandise. The details of my attempt to resolve the dispute with the merchant and the merchant's response are indicated below:

Attach the completed form to your monthly statement for review and approval by your Approving Supervisor and the Auditors Office and County Administrator or Assistant County Administrator.

SCHEDULE "F"

COUNTY OF WARREN
LOST/STOLEN CARD NOTIFICATION

Cardholder's Name: _____

Card Number: _____

Please Check One:

Card was: _____ Lost
 _____ Stolen
 _____ Other (*Describe*) _____

Describe how card was lost/stolen: _____

Was a Police Report filed (*Circle*): Yes No

If yes: Department: _____

Report Number: _____

Cardholder Notified the Credit Card Company:

Date: _____

Time: _____

Cardholder's Signature: _____ Date: _____

Treasurer's Signature: _____ Date: _____

Warren County Board of Supervisors

RESOLUTION NO. 134 OF 2019

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

**ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH
ONEGROUP TO PROVIDE PROPERTY AND CASUALTY
INSURANCE CONSULTING SERVICES (WC 13-19)**

WHEREAS, the Warren County Purchasing Agent requested proposals to provide property and casualty insurance consulting services (WC 13-19), and

WHEREAS, the Director of Self Insurance has recommended that Warren County award the contract to ONEGROUP, One Group Center, 706 North Clinton Street, Syracuse, New York 13204, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent notify ONEGROUP of the acceptance of their proposal, and be it further

RESOLVED, that Warren County enter into an agreement with ONEGROUP, One Group Center, 706 North Clinton Street, Syracuse, New York 13204 to provide property and casualty insurance consulting services, pursuant to the terms and conditions of the request for proposals and proposal, for a term commencing upon execution by both parties and terminating December 31, 2019, in an amount not to exceed Nine Thousand Dollars (\$9,000), to be funded from Budget Code A.1910 470, Unallocated Insurance, Contract, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute said agreement, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 135 OF 2019

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

ADOPTING AMENDED WARREN COUNTY TRAVEL POLICY AND COUNTY VEHICLE USE REGULATIONS

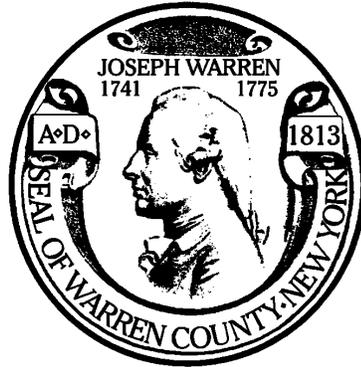
WHEREAS, the Warren County Board of Supervisors adopted an updated Warren County Travel Policy and County Vehicle Use Regulations (hereinafter the “Travel Policy”) by Resolution No. 495 of 2004, which has been updated by many subsequent resolutions, and

WHEREAS, the Self-Insurance Administrator presented to the Support Services Committee a revised Travel Policy which includes many administrative changes, and

WHEREAS, the Support Services Committee has reviewed the changes presented by the Self-Insurance Administrator and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Warren County Travel Policy and County Vehicle Use Regulations annexed hereto, be and the same hereby is, adopted as the official Policy for Warren County, and be it further

RESOLVED, that any and all prior Travel Policies or County Vehicle Use Regulations, Resolutions or parts thereof inconsistent with the annexed are hereby repealed effective March 15, 2019.



**WARREN COUNTY TRAVEL POLICY AND
COUNTY VEHICLE USE REGULATIONS**

I. COUNTY TRAVEL POLICY

Whenever an officer or employee travels for County business, the officer or employee shall comply with the requirements of this section.

A. GENERAL GUIDELINES FOR THE USE OF MOTOR VEHICLES AND/OR MASS TRANSPORTATION

When at all possible, employees shall use County owned vehicles or rental vehicles available under state purchasing contract for County business purposes as opposed to personal vehicles. Whether a rental vehicle may be used in lieu of a County vehicle, shall be determined by the Fleet Manager or in said Manager's absence, the County Administrator based on the nature of the trip, length of the trip, and/or number of persons riding in the vehicle. Whenever practical, employees shall use mass transportation for County business as opposed to County vehicles, rental vehicles or personal vehicles.

- 1) Use of personal vehicles should only occur when a County vehicle is not readily available in the pool of vehicles available for department use or when a rental vehicle is not authorized.
- 2) Mass transportation sources should be used whenever there would be a savings in costs unless such use would be impractical given the nature of the trip. If use of Mass transportation would result in a saving of time, the value of the Officer's or Employee's time should be considered in evaluating costs.
- 3) Whenever travel is for more than distances six (6) hours away, it is expected that mass transportation will be used unless there is justification for not using the same.
- 4) Whenever requesting permission of the Board of Supervisors for out-of-state travel or when requesting authorization from the Department Head, Chairman of the oversight Committee or County Administrator to attend a meeting or convention, the employee making the request shall indicate on the authorization request form whether a County vehicle and/or mass transportation will be used and if not, the reason for such decision. The Board, Department Head, Chairman of the oversight Committee or County Administrator may require the use of a County vehicle and/or mass transportation sources in whole or part as a condition of authorizing the trip.

B. TRAVEL APPROVAL REQUIRED

- 1) Unless travel is excepted herein, or by separate Resolution by the Board, each supervisory Committee shall review and approve *all* travel requests, both in-state and out-of-state. Out-of-state travel requires approval by a Board resolution, and in-state travel that necessitates overnight accommodations, require Committee approval only. The number of people traveling to an event from one department shall be limited and set by the supervisory Committee. Department Heads shall submit all paperwork describing travel and expenses for review by the Committee. A Travel Form (Schedule "A") shall be signed by the supervisory Committee Chairman if travel is approved and must be attached to any Purchase Order or Voucher submitted for reimbursement.
- 2) Travel by officers and employees of Warren County does NOT need approval by the supervisory Committee or Board of Supervisors, and therefore no Travel Form (Schedule A) is required, if all of the following conditions apply:
 - a) the travel does not require overnight accommodations;
 - b) there is no more than \$100 in costs (to the County) per person per trip for travel and meal costs;
 - c) the travel is part of the normal course of business, which includes, but is not limited to, travel to perform the duties of the officer's and/or employee's position or travel is for attendance at

seminars, training, and/or other classes or meetings where such is at no cost to the County or where such is mandated by state law, rule, or regulation.

- 3) Travel by County Supervisors, County Administrator, Assistant County Administrator and Department Heads to attend the New York State Association of Counties' conferences held twice per year do NOT need approval by the supervisory Committee or Board of Supervisors, provided that the Department has budget appropriations for the same and there is compliance with the GSA policy.
- 4) In-state travel for attendance at conferences, seminars or training, the cost of which is included in the current County Budget, requires only approval of the applicable Department Head, the County Administrator, and the Chair of the appropriate oversight Committee. After such approvals are obtained, notification of the event, the attending employee(s) and the fact that such approvals were granted shall be noted on the agenda at the next oversight Committee meeting.

C. FUNDING FOR TRAVEL

If payment of travel expenses requires fund transfers, the Department Head must provide information on where the funds are coming from.

D. REIMBURSEMENT RATE FOR LODGING, MEALS, AND INCIDENTAL EXPENSES

The U.S. General Services Administration Domestic Per Diem Rates are to be used to determine the maximum reimbursement for lodging, meals and incidental expenses. A listing can be found at www.gsa.gov

E. EXCEPTIONS

- 1) The Sheriff's Office shall be excepted from the Policy and guidelines concerning mass transportation and travel approval requirements, where the travel is not related to training or conferences, and which have been approved by the Sheriff or Division Commander.
- 2) The Commissioners of the Warren County Board of Elections, staff and machine custodians shall, to the extent authorized by the County Administrator, be excepted from the requirement of use of a County vehicle or a rental vehicle and may use personal vehicles with mileage reimbursement by the County in the performance of their official duties in Warren County concerning the Election Day period (that time period of a few weeks during which matters are readied and concluded for an election), classes in the various municipalities, trips to nursing homes, and voter education sessions. The Director/Fire Coordinator, Deputy Director of the Emergency Services Office, and Deputy Fire and EMS Coordinators, to the extent authorized by the County Administrator, shall be excepted from the requirement of use of a County vehicle or rental vehicle and may use personal vehicles with mileage reimbursement by the County while in the performance of their official duties, in Warren County and adjacent counties. The officers and/or employees identified in this division (E)(2) shall, however, when attending conferences or meetings outside the County or in adjacent counties, seek to use mass transit or a County vehicle, as may be applicable.
- 3) The employees of the Department of Social Services shall be excepted from the requirement of use of County vehicles and/or rental vehicles and may use personal vehicles with mileage reimbursement to be paid by the County, subject to the approval of the Commissioner of Social Services while continuing to use fleet vehicles as much as possible given the operation of that particular Department.
- 4) Section D above shall not apply to limit the maximum reimbursement rate where the lodging and/or meals are provided as a facility that is the host of an approved conference, training or meeting or is

chosen because of its location proximate to the event and where the reimbursement is less than \$100 above the maximum daily GSA rate and where the employee or officer receives approval for the increased reimbursement above GSA rate as detailed on his or her "Authorization to Attend Meeting or Convention" request form.

II. COUNTY MOTOR VEHICLE USE RULES

The following rules shall apply to the use of County owned, leased, or borrowed vehicles by those driving for County business.

- A. Only authorized employees who hold a valid New York State driver's license shall drive County vehicles. Authorized employees shall be:
- 1) 18 years and older;
 - 2) Any employee who regularly or at times operates a County vehicle as part of the employee's usual and/or customary County job function;
 - 3) An employee who is authorized to operate the vehicle by:
 - a) The County Administrator; or
 - b) The County Department Head to whom the vehicle has been assigned;
 - 4) Those who agree to provide their driver license number to the County for inclusion in the NYS Department of Motor Vehicle License Event Notification Service (*The LENS program provides the County with notifications of driver license infractions and suspensions*);
 - 5) Those who agree to the fact that the County has a right to request information relating to a change in driver license status of all authorized users described above;
 - 6) Those who have signed the acknowledgment (Schedule C) at the end of this Policy;
 - 7) Those who maintain a valid NYS drivers license, excluding conditional or restricted licenses
 - a) Any suspension or revocation of ones driver's license will result in immediate loss of the employee's status as an authorized County driver. Status as an authorized driver will be automatically reinstated upon restoration of unconditional license;
 - 8) Those who have been involved in an at fault incident(s) with a County vehicle where no convictions were issued *but* the incident(s) resulted in damage in excess of \$2,500 from a single incident or multiple incidents within a 12 month period will no longer be considered authorized drivers and must be reviewed by the Risk Management Steering Committee who will provide a recommendation to the Department Head. The Department Head will then determine the employee's status as an authorized driver of County vehicles or their own vehicle on County business. Employees may appeal a Department Heads determination to the Personnel & Higher Education Committee of the Board of Supervisors; and
 - 9) Those with Commercial Motor Vehicle Licenses, if using the license in the scope of their duties, that have successfully passed a Commercial Motor Vehicle License physical exam within the last 12 months and provided proper medical examination certificate to the County.
- B. Volunteers, clients, members of employees' families, etc. are not authorized to operate County owned vehicles, except volunteer County employees and unpaid interns who hold a valid New York State driver's license shall be authorized to operate County owned vehicles for:
- 1) Veteran's Services for such purposes as may be authorized by Executive Law Section 358 of Veteran's Affairs;
 - 2) for persons participating in Countryside Adult Home programs whether such is directly sponsored

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- by Countryside Adult Home or some other governmental or non-governmental entity; and
3) unpaid interns working at the Department of Social Services.

- C. 1) County vehicles shall be utilized for official purposes only. Persons on official business for the County or being transported for purposes of furthering County business, an official departmental function or a County agency sponsored or operated program may ride in County vehicles. In addition, officials or employees from governmental entities other than Warren County, such as from the federal, state or local governments (e.g.; other counties, towns, cities, villages, school districts, etc.) or a non-profit organization provided such non-profit organization is engaged in activity involving or related to County activities including but not limited to promoting the County may ride in County vehicles when accompanying County officials to a meeting, event, destination, or similar place, and such will be considered using the vehicle for official purposes or in furtherance of County business, since it fosters communication, shared governmental services and supports intergovernmental relationships and furthers the interests of the County. Picking up hitchhikers is prohibited. Examples of circumstances where non-County personnel may ride in County vehicles include but are not limited to:
- a) Health Services Department Staff taking students from contracted educational settings as passengers in County vehicles for clinical experience;
 - b) Veterans who ride in the Veterans' Services' van pursuant to program identified in subparagraph II(B) hereof;
 - c) Persons riding in Veterans' Services' vans pursuant to arrangements made with the Department of Social Services;
 - d) Residents of Countryside Adult Home transported by County vehicle for any event or purpose whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity for the general benefit of Countryside Adult Home residents;
 - e) Office for the Aging may transport advisory council members and/or senior citizens to meetings, conferences, etc. at the discretion of the Director;
 - f) District Attorney personnel transporting witnesses;
 - g) Department employees who wish to carpool with other County Officials not from Warren County when the purpose is furthering County business;
 - h) Youth being transported to various programs and seminars by the Department of Social Services;
 - i) Children or clients being transported in County vehicles by DSS staff; and
 - j) Officials or employees from governmental entities other than Warren County, such as from federal, state or local governmental entities or non-profit organizations engaged in activities involving or relating to County activities.
- 2) Unauthorized personnel may not be transported. Uses not specifically described but consistent with the intent of this policy may be allowed by the Chairman of the Board of Supervisors whose determination of whether the use is consistent and/or allowed within this policy shall be final and binding.
- D. 1) Authorization is hereby granted for the following individuals to take County vehicles home on a daily basis due to the nature of their responsibilities:
- a) Department of Public Works:
 - 1) Highway Construction Supervisors II
 - 2) Superintendent of Public Works

- 3) Highway Manager
 - b) Health Services: Nurses upon approval of the Director of Public Health/Patient Services
 - c) Sheriff's Office:
 - 1) Sheriff
 - 2) Undersheriff
 - 3) Major
 - 4) Lieutenant - Criminal Investigators
 - 5) Lieutenant - Law Enforcement
 - 6) K-9 Officers (2)
 - 7) Narcotics Officers (5)
 - 8) Civil Officers (2)
 - 9) Investigators
 - d) Fire Prevention & Building Code Enforcement:
 - 1) Building Inspectors (2)
 - e) Office of Emergency Services
 - 1) Director
- 2) Whenever authorization has been provided to take County vehicles home, Department Heads or their designees must, on a quarterly basis, file with the Warren County Treasurer a report which details use of County vehicles by name of the employee, employee number and days the vehicle was used for the quarter reported.
- E. If authorization to take a County vehicle home is not provided in this Policy, the individual seeking to take a County vehicle to private residence overnight must receive the approval of the Department Head and the County Administrator. In the event that a Department Head desires to take a County vehicle to a private residence overnight, approval must be obtained from the County Administrator. Authorization to take vehicles home overnight pursuant to this paragraph shall be subject to the following requirements:
- 1) A detailed log or record shall be kept by the department setting forth the date(s) vehicles were authorized to be taken home under this Division (E), the name of the employee, the vehicle make or model and the reason or purpose. Such list shall also include employee's position, title and vehicle number.
 - 2) The log or record kept pursuant to Division (E)(1) hereof shall be furnished quarterly to the County Fleet Manager commencing April 1, 2005.
 - 3) If authorized, County vehicles shall be driven only to and from the place of residence to the work site. No subsidiary trips (e.g. grocery store) shall be allowed.
 - 4) An exemption is made for the Warren County Sheriff and Warren County Office of Emergency Services Director to authorize vehicles to be taken home on an as-needed basis for training and other matters, without requiring the approval of the County Administrator.
- F. All vehicles which are not authorized to be taken home under this policy shall be housed or stored at the site where the County Department or Division with jurisdiction over the vehicle has an office where officers or employees typically report to work. For example, Department of Public Works' vehicles would be expected to be housed or stored at the Department of Public Works building in Warrensburg. Vehicles used to support Airport or Parks, Recreation & Railroad Division site personnel would be expected to be housed or stored, respectively, at the Airport or Parks, Recreation & Railroad Division site. Exceptions to the requirements of this Division (F) shall be as follows:
- 1) The District Attorney vehicle assigned to the investigators shall be housed at the Warren County Municipal Center;

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- 2) Sheriff's vehicles may be housed or stored at the Municipal Center or substations as designated by the Sheriff;
 - 3) Five vehicles assigned to the Health Services Department for use by the nurses in northern part of the County shall be housed as follows: one in Stony Creek, one in North Creek, and three in Chester;
 - 4) One vehicle assigned to the Planning & Community Development Department for use by the Construction Cost Coordinator shall be housed in the area with the largest amount of Planning Activity for use on an as-needed basis; and
 - 5) The Superintendent of Buildings vehicle to be housed in Warrensburg at the DPW shop.
- G. All County owned or leased vehicles must be properly marked with the official, non-removable, Joseph E. Warren insignia, except for those used in police work, the Office of Emergency Services the Social Services Department and the Health Services Department.
- H. No County vehicles shall be used for private or personal use. If an employee is in the field during a normal lunch break, they are to notify their supervisors that they are taking their lunch break and where they will be with the County vehicle.
- I. In addition to the log that must be kept on overnight usage, (*see Division (E)(1)*), the Department Head may require daily logs listing destinations, mileage and times must be maintained for all County vehicles covered by this Policy.
- J. Department Heads are hereby authorized to recommend more restrictive or detailed rules concerning the use of County vehicles assigned to their department but must appear before the Budget Committee to gain approval of the rules which change these rules/regulations. If approved, the Budget Committee may authorize immediate implementation of the requested department rule change but such shall still be then referred to the Board of Supervisors for modification of this policy. If the Board does not approve the rule change, the Budget Committee's immediate authorization of the requested department rule change shall be deemed revoked.
- K. All vehicles that are assigned to specific employees or groups of employees must be returned to the fleet for use by other County employees when an employee is on vacation or not otherwise using the same.
- L. If violations of the rules set forth above are proven, an employee's rights to operate a County owned vehicle may be revoked by the Budget Committee.
- M. Employees are expected to take all steps necessary to avoid endangering themselves and others while operating vehicles on County business. To ensure this, employees authorized to operate County vehicles are expected to:
- 1) Check that all vehicle occupants wear safety belts when the vehicle is in operation; and
 - 2) Not operate a vehicle that the driver suspects does not operate properly. The driver shall return and/or park the vehicle as may be appropriate and contact his or her Supervisor to make appropriate arrangements so that the vehicle can be towed or operated safely. If the Supervisor is not available, the employee shall contact the Warren County DPW maintenance department at 518-623-4142 or 518-761-6556.
- N. Drivers of County vehicles are also responsible for:
- 1) Checking that the vehicle is clean - no trash, good overall appearance;

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- 2) Checking that any tools, equipment or other items do not interfere with the driver's ability to operate the vehicle or pose threats in situations where the driver suddenly stops or swerves the vehicle or otherwise cause items in the vehicle to move around;
- 3) Ensuring that the vehicle has current copy of the vehicle registration and the insurance card are in the vehicle and all required inspection stickers are up to date;
- 4) Checking that both license plates are properly attached and visible at all times;
- 5) Conducting daily visual inspection for obvious problems (flat tire, damage, leaks) before the start of the workday and during the workday when approaching the vehicle. An unsafe vehicle should not be operated until repairs are made;
- 6) Any additional pre or post trip inspection as directed by the Department Head; and
- 7) Reporting any concerns regarding the County vehicle by using the form (Schedule B) at the end of this Policy.

O. Drivers of County vehicles must follow respective laws governing motor vehicle operations including those regarding the use of cellular telephones. Drivers must refrain from any activity that may impede the driver's ability to focus on safely operating the vehicle while it is in motion. Drivers are personally responsible for any traffic citations; including EZ-Pass violations that may be issued as a result of operating a vehicle for County business.

P. Drivers of County vehicles or other vehicles for County business must be free of alcohol and illegal drugs. This also includes prescription and non-prescription drugs that may impair a driver's judgement and other faculties.

Q. Drivers must report all accidents and incidents while using a County vehicle to his or her immediate Supervisor. The driver's immediate Supervisor must report the accident or incident according to the County's Safety and Health Program Policy.

Should a motor vehicle incident or crash occur, the driver of a vehicle used for County business must:

- 1) Stop and investigate immediately;
- 2) Set out warning devices if such are available and warranted under the circumstances;
- 3) Notify the police (*call 911*) and immediate Supervisor;
- 4) The driver must supply his or her name and exhibit operator's driver license to the proper authorities;
- 5) If able, secure names and addresses of other involved, witnesses and first persons at the scene;
- 6) If the driver strikes an unattended vehicle and the owner cannot be located, the driver must place his or her name and the address of the Warren County Department securely on the vehicle;
- 7) The driver shall attempt to protect his or her vehicle from further damage and theft;
- 8) The driver must comply with the drug-alcohol testing requirements of the County's Substance Abuse Policy(s) for motor vehicle drivers.
- 9) Post-Accident Testing for drugs and alcohol shall be arranged by the Department Head and/or Human Resources and occur as soon as practicable following an occurrence involving a County driver if the accident involves a loss of human life.
- 10) Post-Accident Testing for drugs and alcohol shall be arranged by the Department Head and/or Human Resources and occur as soon as practicable following an occurrence involving a County driver if the accident resulted in bodily injury to any person who as a result of the injury immediately receives medical treatment away from the scene of the accident; or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be

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transported away from the scene by a tow truck or other motor vehicle and moving violation was issued by law enforcement;

- 11) Employees with Commercial Motor Vehicle Licenses (CDL) must also comply with Warren County's Drug and Alcohol Policy.

R. If you are the driver of a disabled County vehicle, you need to do the following:

- 1) Make sure that the vehicle is not impeding the flow of traffic and is not a safety hazard;
- 2) Turn on the vehicles 4-way flashing hazard lights, if possible;
- 3) Set-up the vehicles emergency safety triangles and safety cone, if available;
- 4) Place a note that can be seen from the outside of the vehicle on the dash of the vehicle describing the vehicles problem and drivers contact telephone or cell number;
- 5) Notify the local police department (911) of the vehicles location;
- 6) Contact your direct supervisor; and
- 7) Make arrangements to have the vehicle towed.

S. No radar detection devices are to be used in any County owned, leased, borrowed or other vehicle used for County business. Drivers who are found to be using such devices may be subject to disciplinary action as determined by the Department Head or County Administrator and in accordance with bargaining agreements and Civil Service Law.

T. All employees seeking to operate a County vehicle must have participated in a driver improvement program within the last 3 years. The driver improvement program can be the County's driver improvement training or other driver improvement training approved by New York State Department of Motor Vehicles or the County's Safety Officer. Incidents and accidents involving County vehicles or other vehicles used for County business may be reviewed by the County's Safety Officer and/or the Risk Management Steering Committee and a recommendation may be made in regards to additional driver improvement training.

U. It will be the County Department Head's responsibility to review this policy with all employees prior to using a vehicle for County business and at any time when the policy is changed. The County Department Head will be responsible for obtaining the signed acknowledgment form that follows from the employees prior to using a vehicle for County business. The County Department Head will be responsible for determining each employee's eligibility under this policy as an authorized driver prior to vehicle use.

V. County Department Heads or their designee shall notify (*using the proper form*) the Self-Insurance Department upon hire or termination of employees authorized to drive County vehicles or other vehicles for County business. The Self-Insurance Department will maintain the NYS DMV LENS database accordingly.

W. The violation of any rule in the County Motor Vehicle Use Rules may result in disciplinary action in accordance with bargaining agreements and Civil Services Law.

SCHEDULE "A"
AUTHORIZATION TO ATTEND MEETING OR CONVENTION

Check one:

- In-State (Must be approved by Department Head, County Administrator & Committee Chair)
Out-of-State (Requires Board resolution)

The (Supervisory Committee) hereby authorizes (Employee Name)

to attend (Name of meeting or organization)

at (Address) on (Dates)

Meeting/Convention Cost: Mode of transportation to be used: (County Vehicle or Mass Transportation)

If the mode of transportation is not a county vehicle or mass transportation, please explain:

Proper documentation must be attached when submitting for approval.

(Please check documents attached)

Notice of meeting or convention including cost. Total Cost of Travel \$ (travel and meeting/convention cost)

For Overnight Travel

Room rate \$ GSA* Rate \$

Funding in Budget? Y N

Meal costs - GSA* per diem rate \$ Budget Code: www.gsa.gov

Date: Department Head Signature

Date: County Administrator Signature

Date: Committee Chairman Signature

Please refer to the Warren County Travel Policy and County Vehicle Use Regulations for general policy guidelines.

Please check to request a fleet vehicle. REQUEST FOR USE OF FLEET VEHICLE

Filing Instructions:

- 1. Original with voucher to Auditor.
2. Copy to Buildings & Grounds if fleet vehicle is needed.
3. Copy to Clerk of the Board with Resolution Request form if out-of-State travel.
4. Copy to Purchasing with Purchase Order, if required.
5. Copy to Clerk of the Board if credit card will be used.
6. Copy of executed form needs to be included in next agenda for reporting to oversight Committee.

**WARREN COUNTY
REPORT OF CONCERNS REGARDING COUNTY VEHICLES**

This section to be completed by the employee that used the vehicle.

Department: _____

Vehicle: Make: _____ Model: _____

County No. _____

Date Vehicle Used: _____

Detail of Concern(s): _____

Name: _____ Title: _____

Date: _____

Employee should provide this form to their Supervisor/Department Head who will immediately forward (via hard copy, fax or email) this form to the Fleet Manager and to the Warren County Vehicle Maintenance Shop in Warrensburg.

This section to be completed by the Fleet Manager:

REVIEW OF CONCERNS AND ACTION TAKEN

Conclusion of Review of Concern(s) and Action Taken: _____

Name: _____ Title: _____

Date: _____

Upon resolution the Fleet Manager will distribute (via hard copy, fax OR email):

Copy to Department Head, Copy Vehicle Maintenance Shop, Original to remain with Fleet Manager.

Warren County Board of Supervisors

RESOLUTION NO. 136 OF 2019

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

APPROVING REVISIONS TO THE WARREN COUNTY WORKPLACE VIOLENCE PREVENTION PLAN AND PROGRAM

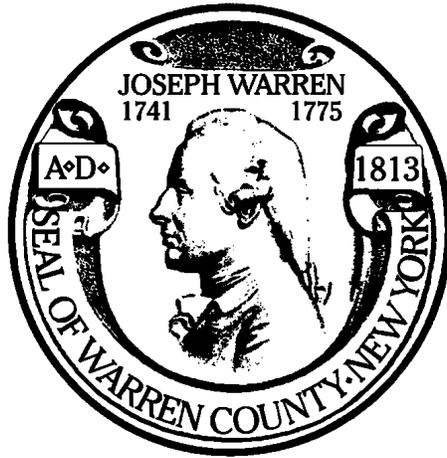
WHEREAS, New York State Labor Law Section 27(b), as amended by the 2006 New York State Legislature, requires that public employers are to evaluate the safety of their workplace and implement workplace safety training for all employees, and

WHEREAS, pursuant to Resolution No. 108 of 2007, the Warren County Board of Supervisors authorized the implementation of a program on workplace violence, which program was subsequently amended by Resolution Nos. 174 of 2012, 138 of 2016 and 237 of 2017, and

WHEREAS, the Self-Insurance Administrator has proposed additional revisions to the workplace violence program which were presented to the Support Services Committee who approved the changes and does recommend advancing same to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves and authorizes the implementation of the revised Workplace Violence Prevention Plan and Program for Warren County, annexed to this resolution and presented at this meeting, with a review of said program to be made on an annual basis by the Warren County Support Services Committee, and be it further

RESOLVED, that said Program shall take effect immediately and will be available for review in accordance with the provisions of the Workplace Violence Prevention Plan and Program.



Warren County

Workplace Violence Prevention Plan and Program

Date Last Adopted: _____

Warren County

Workplace Violence Prevention Plan and Program

Section 27-b of the New York State Labor Law requires public employers (other than schools covered under the school safety plan requirements of the education law) to perform a workplace violence evaluation or risk evaluation at each worksite and to develop and implement programs to prevent and minimize workplace violence caused by assaults and homicides. The Law is designed to ensure that the risk of workplace assaults and homicides are regularly evaluated by public employers and that a workplace violence protection program is implemented to prevent and minimize the hazard to public employees.

The workplace evaluations must identify factors which may place the workforce at risk to occupational assaults or homicides. The results of the evaluation and the risk factors found are to be shared with employees initially and annually thereafter.

I. Board of Supervisors Policy Statement:

Warren County is committed to providing a safe workplace for our employees. We recognize that workplace violence presents a serious occupation safety hazard for workers. Therefore, Warren County has developed and shall implement this workplace violence prevention plan and program.

II. Defining Workplace Violence:

- A. In accordance with Section 27-b of the New York State Labor Law and for the purpose of this workplace violence prevention plan, workplace violence is any physical assault, threatening behavior or verbal abuse occurring in the work setting within Warren County.

The workplace violence prevention plan has been developed to address three distinct types of Workplace Violence threats:

- Type 1 Threat: Physical assault, threatening behavior or verbal abuse by an assailant with no known legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.
- Type 2 Threat: Physical assault, threatening behavior or verbal abuse by a recipient of a service provided by the County.
- Type 3 Threat: Physical assault, threatening behavior or verbal abuse by a current or former worker, supervisor or manager, or another person who has some employment-related involvement with the County, such as a worker's spouse or lover, a worker's relative or friend or another person who has a dispute with one of our employees.

- B. Workplace violence may include threats in the following specific situations or when made in person, in writing, by telephone or electronic communication:
- Non-specific threats of violence by employee
 - Specific threats of violence by employee

- Threats of violence directed against an employee by a non-employee
- Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute
- Threats or threatening conduct by disgruntled or ex-employees
- Violent altercations between two employees or employee and supervisor
- Multiple assaults by intruder

C. Typical warning signs of potentially violent individuals may include:

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility, extreme agitation; making ominous threats such as: "bad things will happen" to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance, irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in County policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; demonstrating a propensity to behave and react irrationally.

III. Workplace Violence Prevention Risk Evaluation:

Warren County has performed "risk evaluations" of certain the facilities identified in article V(f) as a means of inspection of workplaces to determine the presence of existing or potential hazards that might place employees at risk from physical assault, threatening behavior or verbal abuse. The County employed the following techniques in developing risk evaluations for the facilities where the evaluations have been concluded and will also use the same techniques where the evaluations have not been concluded:

- An examination of the history of past incidents to identify patterns or trends which occurred in each workplace;
- A review of occupational injury and illness logs (SH 900) and incident reports to identify injuries that may have resulted from workplace violence incidents;
- Conducting workplace building security surveys.

IV. Risk Factors Identified In Section III Above:

A review of the activities carried out at Warren County's facilities and by County employees, indicates that threats of violence may be initiated by any of the three types of individuals listed in item II. above. Many of the County's employees work closely with the public in situations at the following locations/worksites:

- Municipal Center which includes the County Clerk, Treasurer, Board of Supervisors, Civil Service, County Court as well as several other County departments.
- Human Services building which contains Social Services, Planning, Building Codes, Self-Insurance, Veterans Affairs as well as other County departments.
- Highway Department including Parks, Recreation & Railroad, Up Yonda & Airport
- Buildings and Grounds
- Countryside Adult Home
- Public Safety building which contains the Sheriff's Department and the correctional facility

- Employment and Training Offices
- Community Services Offices
- Office for the Aging Nutritional sites

The County has determined that the following are some of the factors or situations in County workplaces that might place employees at risk of physical assault, threatening behavior or verbal abuse:

- Duties that involve the handling or exchange of monies
- Delivery of passengers, goods or services
- Duties that involve mobile workplace assignments (IE health care, probation, social services, building inspection, criminal justice settings, & highways.)
- Working alone or in small numbers (IE working late at night, during early morning hours or anytime the workplace is not fully staffed.)
- Duties that involve guarding valuable property or possessions
- Working in community based settings
- Bomb threats
- Working in rural or sparsely populated areas
- Working in a poorly lit environment

V. Workplace Violence Prevention Responsibility:

A. The County has identified the following responsibilities for implementing and maintaining the provisions of the Workplace Violence Prevention Program:

- The County Administrators Office is responsible for implementation of the Plan and for coordinating the delivery of required annual employee workplace violence prevention training and for ensuring that all new employees receive a copy of the Plan and required training.
- The County Administrators Office is also responsible for annual plan review, ensuring that its provisions are implemented and answering all employee questions relative to Workplace Violence Prevention procedures.
- All County employees will attend Workplace Violence Prevention training and review the contents of the plan. Training will be scheduled and announced as necessary. In addition this plan will be available from Department Heads and/or supervisors and will be posted in employee accessible areas.
- The County Administrators Office is responsible for annual employee training requirements.
- Department Heads will also conduct a formal review of any workplace violence incidents and within 30 days of the occurrence of an incident may recommend enhancements to the existing Plan and procedures. These formal reviews together with any written report or notice filed by an employee or other person shall be sent to the Warren County Administrator, Human Resources Director, County Attorney and Self Insurance Administrator for their review. Annually, the County Administrator shall conduct a review of all written reports or notices filed during the past year with the County Attorney, Human Resources Director, Self Insurance Administrator, outside consultant, if any, and representatives of the CSEA, PBA and Alliance Unions for purposes of identifying patterns of injuries in particular areas of the workplace or incidents which involves specific operations or individuals, mitigating actions taken, and further, if any, recommendations regarding amendments to the Workplace Violence Prevention Plan, polices of the workplace, work practices and/or work procedures. Any reports/notices

that are examined during the course of the annual review shall be redacted of any names or other information that is required to be redacted by laws, rules or regulations concerning matters of confidentiality.

- The Warren County Sheriff's Department or State Police will respond when the incident requires a police investigation based upon the reporting procedures outlined in this policy. The Investigating Officer will provide a preliminary report to the County Administrator within 15 days of the occurrence of a workplace violence incident. The County Administrator will provide a copy of the report to the Department Head, Human Resources Director and Self Insurance Administrator.

B. Injury and Illness Recordkeeping and Reporting Requirements for Workplace Violence Incidents:

Currently, Warren County is required to record and report workplace violence incidents in accordance with New York State Labor Law, Section 27-a (Public Employer Safety and Health Act). 12 NYCRR Part 801 Recording and Reporting Public Employees' Occupational Injuries and Illnesses, specifies conditions for employer recordkeeping and reporting requirements. Specifically, an employer is required to record an employee workplace violence injury if it results in death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid and loss of consciousness.

Employers are also required to report employee workplace violence related fatalities and multiple hospitalizations to the Department's Public Employee Safety and Health (PESH) Bureau within 8 hours of the incident.

(Refer to 12 NYCRR Part 801 for complete information pertaining to employee recordkeeping and PESH reporting requirements)

C. Employee Communication:

To properly maintain a safe, healthy and secure workplace the County is committed to having an open, two-way communication policy between all employees on all workplace safety, health and security issues. This communication is designed to encourage a continuous flow of safety and health information between management and employees without fear of reprisal and is readily understandable. This communication system will provide and accomplish the following:

- Employee orientation and training on workplace violence prevention and worksite security policies, procedures and work practices.
- Periodic review of the Workplace Violence Prevention Plan and Program with all personnel.
- Training programs designed to address specific aspects of workplace violence prevention and security that are unique to the County.
- Discussion of Workplace Violence Prevention at regularly scheduled safety and health meetings.
- Posted or distributed workplace security information.
- A system for employees to readily inform management about workplace security hazards or threats of violence.
- Procedures for protecting any employee who reports a threat from retaliation by the person making the threat.

D. Preventing Workplace Violence at worksites:

There is no single ingredient that will prevent or reduce violence in the workplace. Preventative measures must be based on a thorough understanding of risk factors associated with the various types of workplace violence that could occur. While understanding the factors that lead to workplace violence are not always evident, sufficient information is available which can reduce the risk. However, strong management commitment, and the day-to-day involvement of department managers, supervisors, employees and labor unions, is required to reduce the risk of workplace violence. To that end, the County will utilize the following measures in developing and maintaining its Workplace Violence Prevention Program:

- ***Foster a supportive harmonious work environment:*** Create a culture of mutual respect to help reduce harassment and hostility in the workplace. Management will strive to communicate openly, give employees adequate control in their work and provide them with support and recognition. Conflict and stress are lower when employees feel empowered to work independently and are motivated to work cooperatively.
- ***Train employees on how to resolve conflicts:*** Conflicts on the job can be reduced by developing employee skills in negotiating, communicating effectively, team building and resolving disputes.
- ***Develop effective policies to protect employees from harassment:*** Strive to build a culture free of harassment and discrimination and advance this goal by having systems in place to address infractions. Warren County will not tolerate physical assault, threatening behavior or verbal abuse. Further, all complaints will be expeditiously and thoroughly investigated. Appropriate action will be taken to those who violate this policy.
- ***Establish procedures for handling grievances:*** Employees will follow grievance procedures for reporting complaints of unfair treatment, discrimination or harassment.
- ***Provide personal counseling through an employee assistance program:*** Employees can use County resources to address personal concerns. If a physical assault, threatening behavior or verbal abuse incident occurs at work, support services can be made available by the County to help employees cope with their fears and concerns.
- ***Implement security programs that protect employees:*** The County has a variety of methods in-place to ensure worker safety. Such methods include: access control to facilities; employee background screening; and, employee safety awareness and training.
- ***Provide employee safety education programs:*** In addition to making workers aware of safety policies and employee support services, the County will provide education on ways to maximize safety at work.
- ***Train supervisory personnel on how to recognize signs of a troubled employee:*** The County will provide periodic information and/or training to managers and supervisors on how to recognize signs and symptoms of a potentially violent employee. Also, supervisory personnel can be instructed on how to be sensitive to signs of possible abuse among employees, such as frequent absences or depression.

E. Reporting Workplace Violence Incidents:

Any employee or representative thereof, who believes that a serious violation of the Workplace Violence Prevention Plan and Program has occurred or that an imminent danger exists, should bring such matter to the attention of a Supervisor or Department Head in the form of a written notice. The

referral is not required where imminent danger or threat exist to the safety of a specific employee or to the general health of a specific patient and an employee reasonably believes in good faith that reporting to a Supervisor or Department Head would not result in corrective action. When a workplace violence incident results in a serious injury, emergency responders such as Police, Fire and/or Ambulance personnel will be promptly notified. Workplace violence incidents that include physical violence or the threat thereof the Warren County Sheriff's Department or State Police shall be notified. The County Administrator, Department Head and employee's supervisor will also be immediately notified. Based on the seriousness of the incident, the County Administrator may assemble a Workplace Violence Management Response Team which may include the County Attorney, law enforcement, Employee Assistance Program Coordinator, various Department Managers, representatives from the Employee Safety and Health Committee, Employee Union representatives and other others as deemed necessary. This team will evaluate the details of the violent incident, implement required employee safety measures, coordinate with the victim's family, other employees, the media and law enforcement personnel, and refer victims to appropriate assistance and community service programs that may include crisis counseling. If following a referral of such matter to the employee's supervisor's attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such employee or representative employees may request an inspection by giving notice to the New York State Commissioner of Labor of such violation or danger. Such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice, shall be signed by such employee or representative of employees, and a copy shall be provided by the New York State Commissioner of Labor to the employer or the person in charge no later than the time of inspection, except that on the request of the person giving such notice, such person's name and the names of the individual employees or representative employees shall be withheld. Such inspection shall be made forthwith.

F. County Worksite Security:

The County primarily provides services to County residents and visitors and its worksites must remain accessible to its clients as necessary. Therefore there is no intention to fortify facilities. The County will provide training to all employees as the primary means of reducing workplace violence. The County will utilize barriers, controlled entries, etc. where such are necessary. In addition, the following physical security measures are also employed at the various facilities as appropriate:

- Maintain exterior lighting, especially in areas where employees walk to their cars.
- As needed, prune landscaping to eliminate hiding places near entrances, walkways and parking areas.
- Keep all non-public entrances closed and locked. Post signs (where necessary) indicating public entrances.
- Post emergency numbers for police, fire and medical services.
- Equip vehicles with two way radios as necessary.

The following details the specific risks and control measures for each of the County's facilities listed below:

- Municipal Center
- Human Services Building

- Countryside Adult Facility
- Public Safety Building
- Employment and Training Offices
- Community Services Offices
- Office for the Aging Nutritional Sites
- Department of Public Works

Summary of Buildings and Office locations

1. Municipal Center

The building houses several County departments including Assigned Counsel, County Attorney, County Auditor, Legislative Board, County Administration, Civil Service, District Attorney, Dept of Motor Vehicles, County Clerk, Health Services, Information Technology, Emergency Services, Probation, Public Defender, Real Property, Tourism, Treasurer, Weights and Measures, Human Resources, and the Women Infant & Children department. The building also houses the Warren County Court and NYS Supreme Court facilities. There are two (2) public entrances to the building which are attended by security. The remaining entrances (except the Courts which are under separate security) are locked but access by employees and other authorized individuals with FOBS (which are administered by Buildings and Grounds). The court area is accessible only with key or via a public entrance that is through magnetometers with armed security staff. The wing housing Public Defender, Assigned Counsel, Emergency Services and Probation has limited access via key or entrance with magnetometer and unarmed security personnel. The building is open from 8:00am - 5:00pm on weekdays. Approximately 200 employees work in the building.

The Assigned Counsel Office is located in the "old jail" wing of the building. The office takes applications and makes awards of legal assistance to indigents. Public access to the area of the building is controlled by unarmed security personnel and magnetometer. The office has a service window with glass barrier. There are two employees who have constant contact with the public. The employees do not work in the field and do not handle money.

The County Attorney's Office is located in the main area of the building. The office provides legal and administrative services to the County departments. There are 7-8 employees and the office is open from 8:00am-4:30pm. The employees interact with members of the public routinely but do not handle money. If employees need to travel they use their own vehicles and personal cell phones.

The County Auditor's Office is located in the main area of the building. The office provides support to other County departments. The office has 2 employees that work from 8:00am-4:00pm. No money is handled. The staff has regular exposure to other employees but very little exposure to the public. The employees do not work in the field.

The County Board of Supervisors and County Administrators Offices are located on the 2nd floor. The offices perform legislative and administrative tasks. There are 8 employees located primarily at the office with an additional 20 members of the Board of Supervisors that attend meetings and Board functions. The offices are open weekdays from 8:00am-5:00pm. The Board members travel regularly in their own vehicles. Money is not handled at the offices.

The Human Resources/Civil Service Department is located in the main area of the Municipal Center. The office provides support to County departments as well as outside municipalities. There are 5 employees of the Department and the office is open from 8:30am-4:30pm weekdays. The employees remain at the office and do not work in the field. Civil Service collects checks but does not handle cash. Contact with the public and other employees is continual.

The District Attorney's Office is located within the courts area of the building. The office provides legal services for the "people". Access is limited to employees with a key and public access is controlled via the armed security / magnetometer through the courts. There are approximately 16 employees within the Department. The office is open 9:00am - 5:00pm weekdays. However the employees regularly work before and after hours when the building is closed. The employees travel frequently via personal automobile throughout the County. Communication is via cell phone. The employees are regularly exposed to the public in court settings and they have continual interaction with clients involved in trials. Petty cash is the only money handled.

The Department of Motor Vehicles and County Clerks offices are located in the main area of the building. The offices provide motor vehicle registration, title and licensing services. The Clerks office issues passports, pistol permits and performs various legal recording services. Access is through the main building entrance past security. The approximately 19 employees in the department have continual contact with the public. The offices are open weekdays from approximately 8:00am-5:00pm. Employees are mostly in the vicinity of other employees and do not work in the field. The department handles cash on a regular basis. All workstations in the DMV area have panic alarms that alert to the Sheriff's Office.

The Health Services / Public Health Department is located in the main area of the building. The office provides various clinic services and home nursing services. The departments 85 employees work both in the field and at the main office. The office is open 8:00am-5:00pm weekdays. However nurses also work on weekends and holidays and some staff is on call 24/7. Employees usually work alone other than the office staff that is in the vicinity of other employees. Nurses perform individual home nursing visits and use cell phones to keep in contact with the Department. Field visits are tracked so the supervising staff has a general idea where the employee is at during the day for safety purposes. Clerical staff or clinic nursing staff handle money at clinics. Panic Alarms connecting to the Sheriff's Office and a contract agency are located in the Public Health Reception and the Health Services Reception areas.

The Information Technology Department is located in the main area of the building. The office provides technology support to other County departments. 3 employees work at the office that is open from 9:00am-5:00pm weekdays. Employees regularly interact with other employees. Employees are sometimes in the field visiting other County departments. Personal cars with personal cell phones are used in the field. Some personnel use County cars and have County issued cell phones. Employees do not handle money.

The Office of Emergency Services is located in the "old jail" wing of the building. The office provides administration, clerical, equipment storage and classroom training for various emergency service providers within the County. Public access is controlled by unarmed security personnel and magnetometer. 3 full time employees and 10 part time employees work 8:00am-4:00pm regularly but work 24/7 during emergency operations. The employees travel regularly in County issued

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vehicles with County radios monitored by the 911 center. The employees frequent an equipment storage facility located offsite on Lower Warren Street. The building is shared with an outside contractor but the employees are often working alone at the location. No money is handled. The Probation Department has approximately 19 employees working from a location in the building. Public access is controlled by unarmed security personnel and magnetometer. Employees utilize other entrances via keyed doors. The employees supervise both adult and juveniles and conduct investigations for the courts. The officers are mobile in County issued vehicles with personal cell phones. Employees are regularly exposed to probationers and the public. Monies in form of restitution are collected at this location.

The Public Defender Department is located in the "old jail" wing of the building. The office provides legal representation of indigents. Public access is controlled by unarmed security personnel and magnetometer. 11 employees work from this location but are also mobile in personal vehicles while attending courts throughout the County. Office hours are 9:00am-5:00pm. Frequent contact is made with the public and the legal clients. Employees do not handle money.

The Real Property office is located in the main area of the Municipal Center. The office provides tax map, clerical work, production of assessment rolls, tax rolls and tax bills. The office of 5 is open 8:00am-5:00pm weekdays. Employees remain at the facility and do not typically work in the field. Monies are handled for payments of tax and parcel maps. Employees have constant interaction with the public. The director does field work on occasion sometimes traveling alone in a County vehicle. If there is a concern a co-worker goes along or the Sheriff's Office is asked to accompany the employee. A Personal cell phone is used as a means of communication when in the field.

The Tourism Department is located in the main area of the Municipal Center. The office provides tourism promotion. There are 8 employees in the office that is open from 9:00am-5:00pm weekdays. Some employees have occasional field work at trade shows and conventions, and meetings with local business leaders. Monies are accepted at the office mostly in the form of checks. Employees travel in County vehicles and communicate with the office via cell phones. A panic alarm connected to the Sheriff's Office and a contract agency is located at the information desk area.

The Treasurer's Office is located in the main area of the Municipal Center. The office provides financial support to the County including tax collection. There are 13 employees in the office that is open to the public from 8:30am-4:30pm weekdays, but the office is staffed from 8:00am-5:00pm. The employees remain in the office and do not go out into the field to work. Employees have constant interaction with the public. The office handles a large amount of cash. A "panic alarm" exists in the office and a counter is in place where the public enters the office.

The Weights and Measurers Office is located in the main area of the Municipal Center. The office provides inspections to retail fuel delivery systems, commercial scales and measuring systems throughout the County. Other inspections include pricing and packaging of consumer goods. The one employee typically works 9:00am-5:00pm and is highly mobile frequently works in the field. There is also one part time, per diem field inspector who assists the director on a limited basis. The employees have constant interaction with the public. The employees travels with a County vehicle and communicates via personal cell phone.

The Women's Infants & Children Program is located in the main area of the Municipal Center. The office conducts clinics and determines eligibility for benefits of women and young children. There are 9 employees that are frequently mobile and in constant contact with the public. Office hours vary and clinics are conducted after the rest of the building closes for business. The employees typically work in teams. The employees travel in a County vehicle and have County cell phones for communication purposes. Clinics are regularly conducted at various locations throughout the towns of the county. A panic alarm connected to the Sheriff's Office and a contract agency is in the WIC Supervisors office. Employees do not handle money.

2. Human Services Building

The building houses several County departments, the largest of which is the Social Services Department. Other departments include Building Codes, Board of Elections, Information Technology, Office for the Aging, Planning, Probation, Self-Insurance, and Veterans Administration. There is one primary entrance for the public that is monitored by unarmed security officers. A panic alarm connected to the Sheriff's Office and a contract agency is located in the security area. All public visitors must enter through the magnetometer. There are several other locked entrances that are accessed by employees with a fob. The building is open to the public from 8:00am-5:00pm weekdays. Approximately 175 employees work in the building.

The Building Codes Department issues building permits, enforces building codes, performs fire safety and building inspections. The office is open to the public after entry via the security area. There are 6 employees, which regularly interact with the public at locations around the County. The department has several County vehicles some of which are equipped with radios monitored by the office staff. Others communicate with the office via personal cell phones. Cash is received at the office for permit and inspection fees and deposited weekly.

The Board of Elections Department registers voters and conducts elections. The office is open 8:00am-4:00pm to the public after entry via the security area. There are 4 full time employees and numerous part time employees. Employees interact with the public on a daily basis and do not handle money. Employees primarily perform work within the building but during voting season attend to the many polling locations throughout the County. Employees travel in personal vehicles and communicate via personal cell phones. A panic alarm connected to the Sheriff's Office and a contract agency is located near the front desk.

The Information Technology department supports the various County departments. The office of 5 employees interacts mostly with other County employees. The office is locked at all times and entrance is via a fob. Employees usually work alone and if traveling they communicate with the office via personal cell phone. Some personnel use County cars and have County issued cell phones. Employees do not handle money.

The Office for the Aging Department is located in the building. Access is limited by a remote controlled door locking device. The 10 employees located at this office regularly interact with the public while performing support services for the aging population. The office is open 8:00am-4:00pm. Employees work both alone and in teams. Very little cash is handled in the office. The reception area and interview rooms are equipped with panic alarms connected to the Sheriff's Office and a contract agency.

The Planning Department performs community planning and GIS services. The office is open to the public after entry via the security area. The 7 employees are mobile performing community planning work. The department has a County issued vehicle. Employees use personal cell phones to communicate when in the field. The department handles very little cash.

The Social Services Department performs eligibility determinations for social services benefits. The Department ensures provision of assistance and services necessary to sustain dependent and disabled persons, protect children and adults from abuse and neglect, and to assist applicants and recipients in achieving the greatest degree of independence possible. The 120 employees work typically 8:00am-5:00pm. However some employees do work evenings and others are on call 24/7 and work in the building when the building is closed to the public. Approximately 50 employees work at least part of their day in the field. They utilize County vehicles for travel and use cell phones to communicate with the office. Emergency radios are available for those who travel in areas where no cell phone coverage is accessible. Most employees work alone, but they do occasionally work in teams when appropriate. Some employees handle money of various amounts each day. Employees have face to face contact with clients on the premises and in client homes. Interview rooms are utilized for most client interviews. The interview rooms consist of glass barriers and counters separating the client from the employee. In addition some employees may facilitate supervised or unsupervised visitation within the Human Services Building, private homes, or in the community. During business hours, a full-time security staff is available and all clients are allowed in the building only after passing through magnetometers and security. Panic alarms connected to the Sheriff's Office and a contracted agency are located in all interview rooms, visitation rooms, group recertification room, drug testing room, Commissioners Office, legal office 3-3090, the 2nd floor breakroom and reception.

The Self-Insurance Department performs services for Towns and County departments in the form of workers' compensation administration and safety training. The departments 3 employees are located in an area accessible via fob. The office is open 8:00am - 4:00pm weekdays. Public contact is minimal. However, there is frequent contact with injured workers and employees. Employees that travel utilize personal vehicles with personal cell phones. No money is handled at the department.

The Veterans Services Department performs administration of veteran benefits and transportation to medical visits. The office is open 9:00am-5:00pm to the public after entry via the security area. Public interaction is frequent. Van drivers work alone and utilize County vehicles and communicate with the office via cell phone. No money is handled at the office. Panic alarms connected to the Sheriff's Office and a contract vendor are located at each work station.

3. Countryside Adult Facility

The facility is an adult care home and a nutritional meal site for the Office for the Aging. There are three entrances to the building. The entrances are locked from 11:00pm-6:00am. The Cornell Cooperative Extension building is nearby on the same property.

The facility is an adult home and also has an adult day care program. In addition the Office for the Aging Nutritional meal site is located at the same facility. Countryside Employee responsibilities include maintenance, cleaning, cooking, food services, resident aid, resident transportation and facility administration. Office for the Aging employees prepare and serve meals to the elderly public that visit the site.

The facility is in operation 24 hours a day every day of the year. The 31 employees typically work onsite. However, some employees travel with residents to doctors visits, activities and meetings. The employees usually work alone. The department has several County vehicles equipped with facility issued cell phones. Petty cash and residents personal allowance cash is kept onsite. The 2 Office for the Aging employees interact with the public that visit the meal site for lunch each day. The meal site employees collect cash daily and deposit at days end. Policies are in place and employees have been trained to deal with difficult individuals.

4. Public Safety Building

The Sheriff's Office Headquarters contains the Administration Offices, the Law Enforcement Division consisting of Patrol and Criminal Investigations, the 911 Communications Center, and the Correctional Facility and the Civil Office. Also on site is a maintenance facility. Additionally the Sheriff's Office has 2 substations, one in Chestertown and one in Warrensburg. Public access is limited to the lobby area of the Sheriff's Office Headquarters. Approximately 210 (FT/PT) employees work the Sheriff's Office in the various locations. Services performed include typical municipal police work, patrol, investigations and public safety functions. Employees are highly mobile in agency vehicles equipped with radios monitored by the 911 center. Employees work both alone and in teams. Employees constantly interact with the public. All of the Sheriff's Office divisions are accredited and are subject to the Sheriff's Office Operations Manual and the Rules, Regulations and Directives contained therein.

5. Employment and Training Office

The facility is shared with the NYS Department of Labor. All employees and visitors enter through the main entrance at the multistory building and pass by a security post.

The department responsibilities include continual interaction with customers to perform assessments, review resumes, review career goals, provide counseling and job search services. Customers are often at difficult places in their lives having recently lost a job or are angry over some recent event that caused them to need the services of the department.

The Employment and Training department has 7 County employees that share offices with 12 State employees. Typical work hours are 8:00am-5:00pm. Employees are occasionally mobile to attend meetings and review worksites. Vehicles are not equipped with radios. However employees usually have personal cell phones. Petty cash is the only money kept on site. Policies are in place and employees have been trained to deal with difficult individuals.

6. Community Services Office

The facility is shared with a non-County mental health services organization. There are multiple entrances that are unlocked during business hours. The office is located within city limits in a residential/small business neighborhood. The non-County offices in the building regularly have people with serious mental illness that come in contact with the County office area.

Staff coordinates treatment, court orders, administers programs and process housing referrals for people with serious mental illness. However, the employees rarely interact face to face with their

own clients. The departments 5 employees are typically office workers but also travel to various locations via personal automobile with personal cell phones. Typical work hours are 8:30am-4:30pm. Employees typically work alone. Petty cash is the only money kept on site. Policies are in place and employees have been trained to deal with difficult individuals.

7. Office for the Aging Nutritional Sites

Employees at the various Nutritional Sites prepare noontime meals and distribute them to the areas aging population either via onsite gathering or via volunteer drivers. Employees generally do not work in the field and work in teams in the kitchen areas. However, since each site is open to the public the employees have daily interaction with the public. Each site accepts a limited amount of cash as payment for meals. Typical work hours for the Nutritional sites are 7:00am-1:00pm. Below are summaries of the various nutritional sites.

Bolton Landing: The nutritional site is located in the Church of the Saint Sacrament. There are church activities in the building as well as the nutritional site. The site is not fenced and public access is not controlled in any way. There are 1 employee.

Cedars: the nutritional site is located in the Cedars Senior Living Apartments in Queensbury. There are many other activities in the building. The site is not fenced and public access is not controlled. There are 7 employees.

Chestertown: the nutritional site is located in the Chestertown Municipal Center. There are other offices and municipal government operations in the building. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Glens Falls: the nutritional site is located in the First Presbyterian Church in Glens Falls. There are other church events conducted at the same location. The site is not fenced and public access is not controlled in any way. Meals are not prepared at this location but are distributed here. 1 employee works at this location.

Indian Lake: the nutritional site is located at the Indian Lake Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Johnsburg: the nutritional site is located at the Johnsburg Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Luzerne: the nutritional site is located at the Lake Luzerne Town Office building. There are other events and government offices located at the site. The site is not fenced and public access is not controlled in any way. There is 1 employee.

Lake Pleasant: the nutritional site is located at the Lake Pleasant Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There is 1 employee.

Long Lake: the nutritional site is located at the Long Lake Town Hall. There are other events and municipal offices at the site. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Queensbury: the nutritional site is located at Solomon Heights Senior Apartments. There are many other activities in the building. The site is not fenced and public access is not controlled. Meals are not prepared at this location but are distributed here. There is 1 employee.

Wells: the nutritional site is located at the Wells Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There are 2 employees.

8. DPW

South End Maintenance Facility: The facility is located at 299 Lower Warren Street Glens Falls. The site is fenced with a gate which remains open and unlocked most of the time. The DPW maintains a crew of approximately 13 individuals which are out on the road most of the day. Typical work hours are from 7 a.m. to 3:00 p.m. although there may be call-ins after hours for snow/ ice removal or road emergencies. Vehicles are equipped with radios which are monitored at the main office and by the Sheriff's Office. Interaction with members of the public is limited at the facility although the employees may encounter members of the public during the course of their workday at mobile work sites.

Buildings and Grounds: The Buildings and Grounds building is a separate building located on the main Warren County Municipal Center campus. The building is not fenced and is very accessible to members of the public, although there would be little reason for members of the public to access this building. The building houses 21 people, 12 of which are buildings and grounds employees who work a scheduled 7:00 a.m. to 3:00 p.m. shift, and 13 individuals who provide custodial services to the Municipal Center working from 4:00 p.m. to midnight. The Buildings and Grounds staff work independently and may work at any location in the County. Approximately 10-15% of their time is spent traveling from one location to another. All staff drive County vehicles which are radio-equipped. The radios are monitored by the main DPW office and by the Sheriff's Office. Custodial staff works independently within the Municipal Center and Human Services Building. Both are locked to the public at 5:00 p.m., except for days when there are special night meetings. These members of staff do not carry radios although many of them carry personal cell phones. All of the building offices have telephones in the event of an emergency. There is a night supervisor who is responsible for maintaining contact with staff members. All members of the custodial staff have been trained to use the public address system in both buildings as a means of emergency communication.

Fish Hatchery: The Fish Hatchery location consists of an office building, 4 hatchery buildings containing tanks and pools, and a maintenance building from which Parks and Recreation staff work. Parks and Recreation staff are also responsible for maintaining the fairgrounds, railroad facilities, ski trails, canoe access and bike path. In addition, there are pavilions at several locations available for hosting special events and etc. A fee is charged for the use of these pavilions. However, members of the public are not charged for entry onto the properties or for use of any of the facilities. The fish hatchery property is unfenced and is open 7 days a week. There is frequent interaction

between employees and the public. There is a playground located at the site. Two employees usually remain on site, and 7 other employees work at the various locations. The crews operate County vehicles which are radio-equipped. Radios are monitored by the main DPW office and the Sheriff's Office.

Up Yonda Farm: Up Yonda Farm is staffed by three Parks and Recreation employees. The facility consists of several buildings including an office, 2 barns that have been converted to a nature centers with interactive exhibits, a sugar shack and some storage facilities. The property is located immediately off Route 9 with good visibility from the road. The property is not fenced. The property remains open year round with access to trails during the winter months although the parking lot is closed after hours. There is no fee charged for use of the facilities or to view any of the exhibits within the nature center. Interaction with members of the public is high at this facility. The employees also travel off site to various locations providing educational programs for schools and groups.

Office, Sign Shop & Garage: The main office building, "old garage"/sign shop and several outbuildings are located at 4028 Main Street, Warrensburg. The "old garage" is also shared with Sheriff s Department. The property's parking lot is open and accessible from the main road as there is a fuel site for County and other municipal vehicles which remains open 24/7. The administrative building has two entrances; the side entrance is for employees only and signed appropriately. The front entrance is used by members of the public and has a greeter/receptionist located at the entrance. The administrative building contains offices and conference rooms. There are no sign-in procedures at the main entrance or checking of IDs for visitors. There is a small amount of petty cash maintained by the office staff but the amount kept on site is minimal. The receptionist receives service calls relating mainly to damage to mail boxes, trash cans, etc., from members of the public, and the supervisor may go out to meet with members of the public on site if it is determined that the County may be responsible for the damage. There is a sign out board used in the administrative building to track movement of employees. The sign shop has two employees and the maintenance staff consists of paving/ bridge crews (approximately 14 people). There are two garage doors which may be open depending on the time of year. Access from the Sheriff s Department is one-way only from the Sheriff's Department to the maintenance area.

Airport: The airport maintains a crew of approximately 3 individuals who are responsible for lighting, runway maintenance, grounds and some minor building maintenance. In addition, the crew performs snow and ice removal and some fire/emergency response operations at the facility. The airport property is fenced with a swipe card access system located at the gate. The airport is used mainly for private airplanes, and had a fixed base operator who is responsible for maintaining the flight side of the facility including fueling and maintenance. There is no security located on site. The airport offices are located on the 2nd floor of the terminal building and there is a secure entry door. There is a restaurant on site which is open to the public, and the airport is open 24/7 to planes.

Maintenance Facility "New Shop": There is a main maintenance facility and outside storage sheds located at 4055 Main Street in Warrensburg. The site has a limited visibility from the road, and has a full perimeter fence with a gate which is locked when the building is unattended. The building has a front entrance, which is visible internally from the main office. There are garage doors for vehicle entry/exit. There are 12 individuals located at the site with responsibility for the maintenance and repair of Warren County equipment and vehicles. No money is kept at the facility and interaction with members of the public is minimal.

Warren County

Workplace Violence Prevention Policy Summary

The safety and security of Warren County's employees, contractors, visitors and clients is very important. Threats, threatening behavior, acts of violence, or any related conduct that disrupts the work of an individual, or the County's ability to execute its mission, will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts in the workplace, may be removed from the premises pending the outcome of an investigation. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve.

For the purpose of this policy, "workplace" means any location, either permanent or temporary, where an employee or contractor appointed by the County, visitor, temporary or contract employee, performs any work-related duty. This includes, but is not limited to, the buildings and surrounding perimeters including the parking lots, alternate work locations, and travel to and from work assignments.

For the purpose of this policy, "workplace violence" and "threat of violence" or "actual violence" includes any physical assault, threatening behavior, or verbal abuse occurring in the workplace by employees or third parties. It includes, but is not limited to, beating, stabbing, shooting, rape, psychological trauma such as threats, obscene phone calls, an intimidating presence, and harassment of any nature such as stalking, shouting or swearing.

Prohibited Conduct

Prohibited conduct includes, but is not limited to:

- Injuring another person physically.
- Engaging in behavior that creates a reasonable fear of injury to another person.
- Engaging in behavior that subjects another individual to extreme emotional distress.
- Possessing, brandishing, or using a weapon that is not required by the individual's position while in the workplace or engaged in County business.
- Intentionally damaging property.
- Threatening to injure an individual or to damage property.
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.
- Retaliating against any employee who, in good faith, reports a violation of this policy.

Violent acts of employees occurring outside the workplace also may be grounds for disciplinary action in accordance with negotiated labor contracts, up to and including termination.

Weapons

Warren County has enacted Local Law No. 2 of 2007 which prohibits entry into and remaining in county buildings by persons in physical possession of a deadly weapon. This local law prohibits any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, gravity knife, pilium ballistic knife, metal knuckle knife, dagger, billy, blackjack, or metal knuckles from being brought into any building owned or leased by the County unless the individual is an authorized individual as described in Section 5 of the local law.

In addition, employees may not carry a weapon covered by this policy while performing any task on the County's behalf unless the employee has been given specific written consent by the County to carry a weapon while performing specific tasks on the County's behalf. Employees, other than trained security personnel, are not expected to handle potential situations or incidents of violence.

Prohibited weapons include any form of weapon or explosive restricted under local, state, or federal regulation. This includes all firearms, illegal knives, or other weapons covered by law. Legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are permitted. If you have a question about whether an item is covered by this policy, please contact the Self-Insurance Department.

Domestic Violence

Victims of domestic violence who believe that the violence may extend into the workplace or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace are encouraged to notify their supervisor. Confidentiality will be maintained to the extent possible.

Reporting of Incidents

All threats of violence or actual violence, both direct and indirect, should be reported in writing as soon as possible to your immediate supervisor or any other member of management, and/or the police during a legitimate emergency by calling 911. The County Administrator shall also be notified.

Any employee, visitor, temporary or contract employee, or contractor engaged by the County who witnesses an incident of workplace violence or the potential for violence also has a duty to report the incident to management. When reporting a threat of violence, you should be as specific and detailed as possible.

Investigation of Complaints

Allegations of workplace violence are treated seriously by the County and all reports of threats of violence, actual violence and suspicious activities will be promptly and thoroughly investigated. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

In the event that they are asked, employees and management are expected to cooperate fully with any ongoing investigation. Based on the seriousness of the incident, the County Administrator may assemble a Workplace Violence Management Response Team which may include the County Attorney, law enforcement, Employee Assistance Program Coordinator, various Department Managers, representatives from the Employee Safety and Health Committee, Employee Union representatives and other others as deemed necessary.

Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

Disciplinary Action

If the County determines that unacceptable conduct has been committed by an employee, the County will take such action as is appropriate ranging from counseling up to and including termination of employment.

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In addition, any manager or supervisor who knows about a threat of violence, or actual violence, and takes no action to stop it, or who fails to report an incident of workplace violence may also be subject to corrective action up to and including termination of employment.

THE POLICY SHALL NOT BE CONSTRUED TO CREATE A DUTY OR OBLIGATION ON THE PART OF THE COUNTY TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.

A complete copy of the policy is available by contacting the Office of the County Administrator.

Workplace Violence Incident Report

Note: In completing this form, attach all supporting documents; such as continuation sheets and police reports

Who was the violent act directed towards: _____

Department: _____

Who is completing this report: _____ Phone: _____

Affected Employees Supervisor: _____ Supervisors Phone: _____

Incident Information:

Date of Incident: _____ Time of Incident: _____

Was this incident in person? _____ Over the phone? _____ Other(explain) _____

Location of Incident (be specific): _____

Description of Incident (Narrative): _____

Has this or a similar incident ever happened to you before? If so, please explain. _____

If you incurred any injury whatsoever, (physical-emotional) please describe the injury, in detail, and the location of any treatment received. _____

List all witnesses of the incident:

Name: _____

Department: _____

Contact Number: _____

Was a weapon involved? If so, specify type and to what extent:

Who made the violent threat (Aggressor):

Name: _____

Department: (if an employee) _____

Supervisor: (if an employee) _____

Relationship to aggressor: (if stranger, indicate relationship, if any) _____

Had anything occurred in the past to make you feel this would happen? If so, please explain _____

Home address/vehicle information: (if not an employee) _____

Warren County Board of Supervisors

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

ADOPTING REVISED WARREN COUNTY ALCOHOL & DRUG TESTING POLICY FOR EMPLOYEES HOLDING A COMMERCIAL DRIVERS LICENSE (CDL)

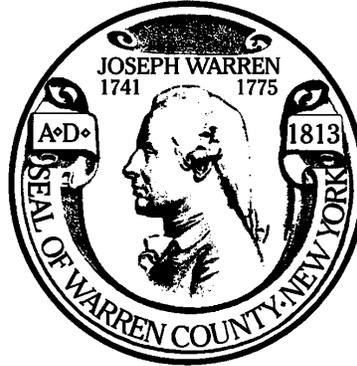
WHEREAS, the Board of Supervisors adopted an Alcohol and Drug Testing Policy for Warren County employees in possession of a Commercial Drivers License (CDL) by Resolution No. 570 of 1995, and

WHEREAS, the Self-Insurance Administrator presented to the Support Services Committee a revised policy which has been substantially updated, and

WHEREAS, the Support Services Committee has reviewed the changes presented by the Self-Insurance Administrator and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Warren County Alcohol & Drug Testing Policy Commercial Driver License (CDL) annexed hereto, be and the same hereby is, adopted as the official Policy for Warren County, and be it further

RESOLVED, that any and all prior Alcohol & Drug Testing Policies for employees holding Commercial Drivers Licenses, Resolutions or parts thereof inconsistent with the annexed are hereby repealed effective March 15, 2019.



**Warren County
Alcohol & Drug Testing Policy
Commercial Driver License (CDL)**

Adopted: _____

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INTRODUCTION

On February 15, 1994 the United States Department of Transportation (DOT) published the final rules for drug and alcohol testing of Commercial Driver License (CDL) holders. The final rules must be implemented by all employers of CDL holders by January 1, 1996.

These rules prohibit CDL holders from engaging in certain drug and alcohol related conduct and require employers to test employees to ensure compliance with the drug and alcohol rules.

This policy has been developed as a means to ensure that all Warren County employees who hold a CDL are informed of the FEDERAL rules for the drug and alcohol testing and the consequences of any violation.

IF YOU POSSESS A CDL AND DRIVE, INSPECT, REPAIR, LOAD OR UNLOAD A COMMERCIAL VEHICLE ON COUNTY BUSINESS, THE FOLLOWING RULES APPLY TO YOU.

IF YOU ARE A CDL HOLDER AND CURRENTLY OCCUPY A DEPARTMENT OF PERSONNEL ADMINISTRATION DESIGNATED SAFETY-SENSITIVE CLASSIFICATION, YOU ARE SUBJECT TO SUBSTANCE TESTING UNDER BOTH STATE AND FEDERAL AUTHORITIES.

**TO ALL WARREN COUNTY EMPLOYEES WHO HOLD A CLASS A OR CLASS B
COMMERCIAL DRIVER LICENSE (CDL)**

Federal Highway Administration (FHWA) regulations require annual random, unannounced alcohol and controlled substance (drug) testing of all CDL holders. The penalties for violation of the new FHWA alcohol misuse and controlled substance use regulations are considerable. If a CDL holder tests positive for drug use or the misuse of alcohol the CDL holder will be prohibited from performing safety-sensitive functions associated with the operation of a commercial vehicle and the CDL holder may be subject to a \$10,000 fine under 49 U.S.C. 521 (b). Additionally, Warren County will take corrective disciplinary action up to and including termination for any employee found in violation of the FHWA regulations.

If you are experiencing difficulty with the use of alcohol or drugs, you are strongly encouraged to notify your supervisor, or Department Head. Warren County will assist you as much as is operationally practicable in helping you to overcome problems associated with substance abuse and protect your employment status. Please see the section entitled "Where to Get Help".

WARREN COUNTY
SUBSTANCE ABUSE POLICY FOR
COMMERCIAL MOTOR VEHICLE DRIVERS

1.0 STATEMENT OF PURPOSE AND SCOPE OF POLICY

- 1.1 Warren County is firmly committed to ensuring a safe, healthy, productive and efficient work environment for our employees and the public we serve. The County has a vital interest in ensuring a safe, healthy and efficient working environment and the prevention of accidents and injuries which can result from the misuse of alcohol or controlled substances by drivers of the County's commercial motor vehicles. For these reasons, and as required by the drug and alcohol testing regulations of the Federal Motor Carrier Safety Administration ("FMCSA"), the County has established this substance abuse policy for the drivers of its commercial motor vehicles. Drug and alcohol testing is an integral part of our policy and program. Compliance with this policy is required by applicants as a condition of employment and by drivers as a condition of continued employment.
- 1.2 This policy applies to any "driver" (as defined in Section 2.6 of this policy) who operates a "commercial motor vehicle" (as defined in Section 2.3 of this policy) for or on behalf of the County and who is required to have a commercial driver's license ("CDL") in order to operate that vehicle. The policy also applies to all applicants who seek employment for such driver positions. Additionally, this policy applies to any County supervisor and other managerial personnel who drive or may be required to drive a commercial motor vehicle from time-to-time on the County's behalf.
- 1.3 This policy explains the FMCSA's drug and alcohol regulations and the County's own policies with respect to the use controlled substances or misuse alcohol. Provisions of this policy which are imposed under the County's independent authority are specifically noted by text which has been underlined.
- 1.4 The County maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist recovering addicts or alcoholics and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others.
- 1.5 Any questions regarding the meaning or application of this policy should be directed to the Program Administrator (Warren County Department of Human Resources.)

2.0 DEFINITIONS

- 2.1 "**Alcohol**" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.
- 2.2 "**Alcohol Use**" means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

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- 2.3 For purposes of this policy, "**Commercial Motor Vehicle**" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
- a. has a gross combination weight rating of 11,794 or more kilograms (26,001 or more pounds) including a towed unit with a gross vehicle weight of more than 4,536 kilograms (10,000 pounds); or
 - b. has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); or
 - c. Is designed to transport 16 or more passengers, including the driver; or
 - d. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F).
- 2.4 "**Controlled Substances**" and "**Drugs**" are used interchangeably in this policy and mean marijuana, cocaine, opioids including semi-synthetic opioids, amphetamines, phencyclidine (PCP), or their metabolites, and any other substance included in Schedules I through V, as defined by the Controlled Substances Act, 21 U.S.C. §812, as they may be revised from time to time. The terms "controlled substances" and "drugs" include legal substances obtained illegally or used in an unauthorized manner, but do not refer to the proper use of controlled substances authorized by law which do not affect job safety or performance.
- 2.5 "**Disabling Damage**" means damage which prevents a motor vehicle from being driven from the scene of the accident in its usual manner in daylight after simple repairs, including damage to motor vehicles that could have been driven, but would have been further damaged if driven. This term **does not include** damage which can be remedied temporarily at the scene of the accident without special tools or parts; tire disablement without other damage even if no spare tire is available; headlight or taillight damage; or damage to turn signals, horn or windshield wipers which make them inoperative.
- 2.6 "**Driver**" means any person who operates a "commercial motor vehicle" (as defined in Section 2.3.) Under FMCSA regulations, this includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers.
- 2.7 "**Performing A Safety-Sensitive Function**" means any period in which a driver is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.
- 2.8 "**Safety-Sensitive Function**" means the following activities and includes the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work:
- a. All time at a County facility, terminal, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the County;
 - b. All time inspecting equipment as required by the FMCSA's regulations 49 C.F.R. §§392.7 and 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
 - c. All time spent at the driving controls of a commercial motor vehicle in operation;

- d. All time, other than driving time, in or upon any commercial motor vehicle, except time spent resting in a sleeper berth (a berth conforming to the requirements of the FMCSA's regulation 49 C.F.R. §393.76);
- e. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- f. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

2.9 **"Substance Abuse Professional" ("SAP")** means a licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or an addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol And Other Drug Abuse). All SAPs must have knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

3.0 PROHIBITED CONDUCT

3.1 Prohibited Conduct Concerning Driver's Use Of Drugs and Alcohol:

- a. Drivers are prohibited from reporting for duty or remaining on duty when using any drugs (as defined in Section 2.4), except when the use is pursuant to the instructions of a medical doctor who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle. (For details concerning the lawful use of prescription drugs, refer to Section 3.4.)
- b. Drivers are prohibited from reporting for duty or remaining on duty with an alcohol concentration of 0.04 or greater. Drivers found to have an alcohol concentration of 0.02 or greater, but less than 0.04, are prohibited from performing any safety-sensitive functions for at least 24 hours from the test.
- c. Drivers are prohibited from using alcohol in any form (***including medications containing alcohol***) while performing safety-sensitive functions (refer to Section 2.7 of this policy for the definition of performing safety-sensitive functions).
- d. Drivers are prohibited from performing safety-sensitive functions within four (4) hours after using alcohol. On-call employees who are not at work, but could be called to drive or perform other safety-sensitive functions, are subject to this pre-duty alcohol prohibition. This means a driver who is on-call must decline a call to work if his or her acceptance would require the employee to drive or perform other safety-sensitive functions within four (4) hours after consuming alcohol. An on-call driver who is required to decline work because of his/her use of alcohol in violation of the four-hour rule is subject to discipline up to and including termination.
- e. Drivers are prohibited from using alcohol for eight (8) hours following an accident or until the driver takes a post-accident alcohol test (and tests negative), whichever occurs first.
- f. Drivers may not "refuse to submit" to any drug or alcohol test required under the FMCSA's drug and alcohol rules and/or this policy. (For further details concerning what actions will be considered as a "refusal," refer to section 3.2 of the policy.)
- g. Drivers are prohibited from performing or continuing to perform a safety-sensitive function if they have tested positive for controlled substances or alcohol.

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- h. Drivers may not refuse to submit to any inspection required under section 11.0 of this policy.
 - i. During a driver's workday, a driver is prohibited from engaging in the unlawful or unauthorized manufacture, distribution, dispensation, sale, purchase, solicitation, transfer, possession, use or transport of controlled substances or alcohol. This prohibition does not include the authorized distribution, dispensation, sale, purchase, solicitation, transfer, possession, use or transport of alcoholic beverages in connection with County-sponsored functions or events.
 - j. Drivers are prohibited from failing to stay in contact with the County or its medical review officer while awaiting the results of a drug test.
- 3.2 **Refusal to Submit:** For purposes of this policy, the following employee conduct will be considered as a refusal to submit to a test:
- a. refusing to complete the chain-of-custody form or any other required drug or alcohol testing form(s);
 - b. refusing to provide a urine sample, or breath or saliva specimen for testing;
 - c. failing to provide an adequate amount of urine or breath for testing, without a valid medical explanation;
 - d. failing to promptly notify the County that the driver was in an accident or not being readily available for testing after an accident (except as necessary to obtain assistance or medical care);
 - e. refusing or failing to report directly to the collection site after being notified of the need to submit to a test;
 - f. delaying the collection, testing or verification process;
 - g. adulterating or substituting a urine sample or attempting to adulterate or substitute a urine sample; or
 - h. otherwise engaging in conduct that clearly obstructs the testing process.
- 3.3 **Consumption of Food or Food-Products Containing Hemp:** The consumption of food and food-products containing hemp (for example, "Seedy Sweeties" and hemp oil) may cause a driver to test positive for marijuana. A test result that is positive as a result of a driver's consumption of food or food-products containing hemp will be reported as a positive test. (Refer to Section 7.3 regarding the consequences of a positive test result.)
- 3.4 **Prohibition On Supervisor Or Manager Permitting A Driver To Work:** No supervisor or manager who has actual knowledge that an employee has engaged in or is engaging in conduct prohibited under this policy shall permit the employee to work or continue working under such circumstances. Any employee who has been directed not to work or directed to stop working under such circumstances must immediately comply.
- 3.5 **Prohibition Against Working While Using Any Drug Medications Can Which Affect Safety Or Performance:**
- a. Except as otherwise provided in this section, the lawful use of any medication (therapeutic drugs) while performing a safety-sensitive function is prohibited to the extent such use may affect the driver's ability to perform his/her job duties safely.
 - b. A driver who will use, or who is using, any medication that contains a controlled substance has an obligation to inquire and determine whether the medication the driver is using or may use could affect the driver's ability to perform his/her job duties safely.

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- c. If the driver is or will be using any such drug medication, the driver is required to obtain from the driver's licensed medical practitioner a written statement which provides that the medication will not interfere with the driver's ability to safely and efficiently perform the driver's job duties or provides the work restrictions, if any, which the driver is subject to for the period of time the driver is taking the medication. The County's "Certification of Driver's Authorized Use of Prescription and/or Non-Prescription Medication" form is to be used for this purpose.
- d. In the event a driver is using or will be using drug medication which will interfere with or adversely affect the driver's ability to do his or her job duties, such information must be reported to the driver's immediate supervisor prior to commencing any safety-sensitive functions, without disclosing the identity of the substance. The driver must also have the medication available for review by the County's MRO in its original container, which must identify the medication dosage and other pertinent information about the medication.
- e. A driver may continue to work, if the County's MRO and the licensed medical practitioner have determined that the medication will not adversely affect the driver's ability to safely and efficiently perform the driver's safety-sensitive functions, or they have determined that a reasonable accommodation can be made concerning the driver's medication. A driver will not be permitted to perform his or her safety-sensitive functions unless such a determination or reasonable accommodation has been made.

4.0 REQUIRED TESTS AND PAST TEST RESULTS INFORMATION

As required by the FMCSA's regulations, the County will conduct drug and alcohol tests under the conditions and circumstances described below.

4.1 Pre-Employment Drug Testing and Past Test Results Information:

- a. All applicants who have received a conditional offer of employment in a CMV driver position, and all existing employees whose transfer to a CMV position has been conditionally approved, are required to submit to a pre-employment drug test and must receive a negative test result as a condition of employment. Such tests will be conducted prior to the time the applicant is hired or transferred.
- b. In addition to a pre-employment drug test, FMCSA's regulations require the County to obtain the following specific information concerning an applicant's past drug and alcohol tests from an applicant's former motor carrier employers during the previous two years: (i) alcohol tests with results of 0.04 or greater; (ii) drug tests whose results were verified positive; and (iii) all instances in which the applicant refused to be drug or alcohol tested. All such information will be obtained in a confidential manner and the County will maintain a written confidential record with respect to each former carrier contacted. The information obtained from a previous carrier may contain alcohol and drug information which that carrier obtained on or after January 1, 1995 from another previous motor carrier employer.
 - 1. Although FMCSA regulations only require the County to the go back two years, FMCSA requires information regarding positive test results to be maintained for 5 years. Therefore, the County has elected to request past test results for the previous 5 years. As a condition of employment with the County, applicants for CMV driver positions are required to complete and sign the County's "Applicant's Authorization to Obtain Past Drug and Alcohol Test Results" form, which authorizes the applicant's former motor carriers

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for whom the applicant drove during the preceding five years (from the date of application) to release to the County information concerning the applicant's: (i) alcohol tests with results of 0.04 or greater; (ii) drug tests whose results were verified positive; and (iii) all instances in which the applicant refused to be drug or alcohol tested.

- c. If the County learns from the driver's previous carriers that the driver had an alcohol test result of 0.04 or greater, a verified positive drug test, or refused to be tested, the driver either will be ineligible to drive for the County, or if hired, the driver will be terminated, unless the County obtains evidence that the driver has complied with the referral and rehabilitation requirements set forth in §382.605 of FMCSA's regulations.

4.2 Post-Accident Drug And Alcohol Testing:

- a. A driver who is performing safety-sensitive functions (as defined in Section 2.8 of this policy) involving a commercial motor vehicle is required to submit to a post-accident drug and/or alcohol test as soon as practicable following the accident, under the following circumstances:
 - 1. **Fatal accidents:** A driver who is involved in an accident which results in a death to another human being must always submit to a drug and alcohol test.
 - 2. **Non-fatal accidents:** A driver who is involved in a non-fatal accident, must submit to a post-accident drug and alcohol test if:
 - (a) the driver was given a citation for a moving traffic violation involving the accident **and**
 - (b) the accident also results in one of the following:
 - (1) bodily injury to the driver or another individual, requiring immediate medical treatment away from the scene of accident; or
 - (2) one or more of the vehicles involved in the accident incurs disabling damage (as defined in Section 2.5 of the policy), requiring the vehicle(s) to be transported away from the scene by a tow truck or other vehicle.
- b. Drivers involved in any accident involving their vehicle must notify the Program Administrator as soon as possible to obtain information on how to proceed with the required testing. Drivers are obligated to follow the Program Administrator's instructions and, if directed to submit to post-accident drug and alcohol tests, must do so as soon as possible.
- c. A driver who is subject to post-accident testing must remain readily available for such testing or else will be deemed to have refused to submit to such testing. However, this "readily available" requirement does not require the delay of necessary medical attention for injured people, or prohibit a driver from leaving the scene of the accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
- d. A driver who is required to submit to a post-accident test will be suspended after completion of the drug and/or alcohol tests. The County also reserves the right to evaluate the conduct of the driver which may have caused or contributed to the accident, to determine if this conduct in and of itself should warrant discipline, up to and including termination.

4.3 **Random Drug And Alcohol Testing:**

- a. Each year the County will administer random alcohol and drug tests. Random *drug* tests may be conducted at any time. Random *alcohol* tests will only be conducted while a driver is performing safety-sensitive functions, just before the driver performs safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.
- b. The County shall select drivers for testing using a random number table or a computer-based random number generator that is matched with the drivers' social security numbers, or other comparable identification numbers which will ensure that each driver has an equal chance of being tested each time selections are made.
- c. All random tests will be unannounced and the dates for administering the tests will be spread reasonably throughout the calendar year. The dates of random testing, locations and names of those to be tested are kept in the strictest confidence by the Program Administrator and the specimen collector.
- d. Each driver who is notified of selection for random drug or alcohol testing must proceed to the test site immediately. If the driver is performing a safety-sensitive function (refer to section 2.8) at the time of notification, the driver must cease performing the safety-sensitive function and proceed to the test site as soon as possible, but not longer than two hours from the time of notification. Drivers who do not proceed to the test site immediately upon notification of the test may be considered to have refused to submit to the test.

4.4 **Reasonable Suspicion Drug and/or Alcohol Testing:**

- a. A driver must submit to a reasonable suspicion drug and/or alcohol test whenever a manager or supervisor has reasonable suspicion to believe that the driver has violated the drug or alcohol prohibitions contained in this policy. Reasonable suspicion drug tests may be conducted at any time. Reasonable suspicion alcohol tests may be conducted only while the driver is performing safety-sensitive functions, just before the driver performs safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.
- b. Reasonable suspicion determinations will be based on specific, contemporaneous, articulable observations concerning the driver, including but not limited to, the driver's appearance, behavior, speech, or body odors. For drug testing, the observations may also include indications of the chronic and withdrawal effects of drugs.
- c. Documentation of the observations leading to a reasonable suspicion test will be prepared and signed by the supervisor or manager who made the observations. The supervisors and managers who will make reasonable suspicion determinations have received training on alcohol misuse and controlled substances use in accordance with the FMCSA's regulations. The particular supervisor or manager who makes a reasonable suspicion determination will not conduct the drug or alcohol test.
- d. A driver who is directed to take a reasonable suspicion drug and/or alcohol testing must submit to the test as directed. The County shall transport or ensure transport of the driver both to and from the collection site.
- e. A driver who is requested to submit to a reasonable suspicion drug and/or alcohol test will be suspended after the completion of the tests. The County also reserves the right to evaluate the conduct of the driver which warranted the reasonable suspicion drug or alcohol tests to determine if the conduct in and of itself should warrant discipline, up to and including termination.

5.0 SELF-IDENTIFICATION OF SUBSTANCE ABUSE PROBLEM

- 5.1 Consistent with and subject to the County's policies concerning medical and personal leaves and vacations, a driver who voluntarily self-identifies himself or herself as having a drug or alcohol problem and requests assistance for such a problem will be referred to a substance abuse professional for an evaluation and, if recommended, an appropriate counseling, treatment or rehabilitation program. The cost of the counseling, treatment or rehabilitation is the driver's responsibility. (For further details concerning the employee's payment obligations, employees should refer to their medical insurance plan.)
- 5.2 **This request must be made before the driver is directed or otherwise required to submit to a drug or alcohol test required by DOT or this policy.**
- 5.3 Once leave commences, periodic certification that the employee is actively continuing to participate in the program, together with progress reports, shall also be required. As a further condition of taking such leave, the employee will be required to authorize the attending substance abuse professional to communicate directly with the County, including to release the employee's relevant treatment records to the County, except as federal or state law may otherwise require. All such oral and written communications between the substance abuse professional and County shall be treated as confidential.
- 5.4 Except where the federal or state law prohibits, all leave time taken for the evaluation, counseling, treatment or rehabilitation will be counted against the leave to which the employee may be entitled under the federal or state Family and Medical Leave laws.
- 5.5 Prior to the time such leave begins, the driver will be required to execute the County's "Agreement for Treatment and Conditions for Continued Employment." This agreement provides, among other things, that before a driver will be permitted to return to his/her driving duties or perform other safety-sensitive functions for the County, the driver will be required to submit to post-voluntary rehabilitation return-to-duty drug test test and/or post-voluntary rehabilitation return-to-duty alcohol and must receive a negative result. The agreement also provides that the driver may be required to submit to post-voluntary rehabilitation follow-up drug tests and/or post-voluntary rehabilitation follow-up alcohol tests after returning to work, if directed by the treating substance abuse professional. Any return-to-duty and follow-up drug and/or alcohol tests performed under this section of the policy will be conducted as permitted by and in accordance with the applicable state or local law, if any. Where there is no applicable state or local law, or where such laws do not provide specific detailed procedures governing such testing, the County will follow the Federal Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 C.F.R. Part 40, as amended.

6.0 DRUG AND ALCOHOL TESTING PROCEDURES

As required by the FMCSA's rules, the County's drug and alcohol testing procedures comply with the Federal Procedures For Transportation Workplace Drug and Alcohol Testing Programs, 49 C.F.R. Part 40, as amended. (A copy may be obtained from the Program Administrator). These procedures ensure the integrity, confidentiality and reliability of the testing processes, safeguard the validity of the test results and ensure that these results are attributed to the correct driver. Further, these procedures minimize the impact upon the privacy and dignity of persons undergoing such tests. The following provides a summary of the federal procedures.

6.1 **Drug Testing Procedures:**

- 6.1.1 a. **Drugs being tested for:** The drugs that may be tested for include: marijuana, opioids including semi-synthetic opioids, amphetamines and amphetamine variants, cocaine, phencyclidine (PCP) and their metabolites, and certain painkilling medications.
- b. **Chain-of-custody and laboratory:** For purposes of conducting drug tests, the County has established a chain-of-custody procedure for the collection and analysis of urine samples that will verify the identity of each sample and test result. All drug tests conducted pursuant to this policy shall be performed by laboratories which are certified by the Department of Health and Human Services ("DHHS")
- c. **Confirmation and review of drug test results:**
1. All positive drug test results will be confirmed by gas chromatography and mass spectrometry (GC/MS). All confirmed positive drug test results will be reviewed by a medical review officer ("MRO") to determine whether there is any legitimate explanation for the positive test result. This review may include a medical interview, review of the applicant's or driver's medical history, or review of any other relevant biomedical factors and all medical records made available by the tested individuals.
 2. Individuals testing positive will be given the opportunity to discuss with the MRO any legitimate explanation for the positive test result. If, after speaking with the driver, the MRO determines that there is a legitimate medical explanation for the confirmed positive test result, the MRO will report the test result as "negative" to the Program Administrator or a designated representative. If the MRO determines that there is no legitimate explanation for the confirmed positive test result, the result will be verified as a "confirmed positive test result" by the MRO.
 3. Under the circumstances set forth in 49 C.F.R. Part 40, the MRO is permitted to verify a test result as a confirmed positive without having first communicated directly with the driver. In the event that serious illness, injury or other unavoidable circumstances prevented the driver from being contacted by the MRO or a designed County representative, however, the MRO may reopen the verification process to permit the driver to provide information concerning a legitimate explanation for the positive test. (Refer to Section 3.1.j. of the policy concerning the driver's duty to remain in contact with the County and MRO.)
- d. **Right to have split-sample analyzed:** All applicants and drivers whose primary urine sample is verified positive have the right to request that their split-sample be analyzed in a different DHHS certified laboratory, selected by the County, for the presence of the drug(s) for which a positive result was obtained. The request must be made to the MRO within 72 hours of being notified by the MRO of a verified positive test result. If the split-sample fails to reconfirm the presence of the drug(s) found in the primary sample, or if the split-sample is unavailable, inadequate for testing or untestable, the MRO shall cancel the test and report the cancellation and the reasons for it to the Program Administrator or a designated representative and the tested individual. However, if the split-sample reconfirms the presence of the drug(s) or drug metabolite(s), the MRO will notify the Program Administrator or a designated representative and the tested individual of the test results.
- e. **Inability to provide adequate amount of urine sample:** Applicants and drivers must provide a urine sample of at least 45 milliliters of urine for a drug test. If the tested individual is unable to provide such a quantity of urine, then the tested individual will be instructed to drink a set amount of fluids and after a set period of

time, again attempt to provide a complete sample. If an applicant refuses to drink the fluids as directed, or to provide a new urine sample, this will constitute a refusal to submit to a test and the applicant will be ineligible for employment with the County. If a driver refuses to drink the fluids as directed or to provide a new urine sample, this will constitute a refusal to submit to testing and the driver will be terminated. If a driver has not provided a sufficient sample within a certain time period after the first unsuccessful attempt to provide the sample, the County will direct the driver to obtain as soon as possible, a medical evaluation from a physician selected by the County. If the physician determines that there is no legitimate medical explanation for the driver's failure to provide an adequate amount of urine, this will constitute a refusal to submit to a test and the driver will be terminated.

- f. **Altered or substituted urine samples:** Procedures for collecting urine samples allow an individual privacy unless there is a reason to believe that a particular individual has altered or substituted, or attempted to alter or substitute, the sample, as defined in the Federal Procedures For Transportation Workplace Drug Testing Programs, 49 C.F.R. Part 40. In such cases, a sample may be obtained under the direct observation of a specimen collector of the same gender as the individual being tested.
- g. **Dilute Specimens:** In the event the county receives a dilute positive specimen, then the test shall be accepted as a positive test. In the event that the county receives a negative dilute specimen, the county shall require a retest to be conducted in each of the following cases: return to duty tests, follow-up tests, reasonable suspicion tests, and random tests. The result of the retest shall become the test of record. If the employee refuses to take the retest it will be considered the same as a positive test result.

6.2 **Alcohol Testing Procedures:**

- a. **How test will be performed:** Alcohol screening tests will be performed by a screening test technician ("STT") using a non-evidential screening device, or by a breath alcohol technician ("BAT") using an evidential breath testing device ("EBT"). The County ensures that the STTs are proficient in the operation of non-evidential screening devices and that the BATs are proficient in the operation of EBTs. In addition, the County use only non-evidential alcohol screening devices and EBTs which are listed on the conforming products list issued by the National Highway Traffic Safety Administration.
- b. **Confirmation of alcohol test results:** If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed using an EBT. The confirmation test will be conducted within 30 minutes from the end of the screening test. The confirmation test result is the final result upon which any discipline or other action taken under the County's policy shall be based.
- c. **Inability to provide adequate amount of specimen for alcohol testing:**
 - 1. If a driver fails to provide or claims that he or she is unable to provide a sufficient amount of breath to permit a valid breath test because of a medical condition, the County will require the driver to be evaluated by a physician selected by the County. If the physician determines that the driver's alleged medical condition could not preclude the driver from providing an adequate amount of breath, this will constitute a refusal to test and the driver will be terminated.

2. If the driver is unable to provide sufficient saliva to complete a test on a saliva screening device, the STT shall conduct a new test, using a new device. If the driver refuses to complete the new test, this will constitute a refusal submit to a test and the driver will be terminated. If the new test is completed, but there is an insufficient amount of saliva to activate the device, the driver shall immediately take an alcohol test using an EBT. If the driver refuses to submit to the test using an EBT, the driver will be terminated.

7.0 CONSEQUENCES FOR POLICY VIOLATIONS

The consequences discussed below apply to applicants and drivers who are found to have violated this policy. Regardless of the discipline imposed, however, FMCSA's regulations require drivers who engage in any prohibited conduct under this policy to be advised of available resources for evaluating and resolving problems associated with drug use and alcohol misuse, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. This information will be provided through the County's Human Resource Department.

- 7.1 **Automatic Removal From Safety-Sensitive Functions:** FMCSA's regulations require drivers who violate this policy in any way to be immediately removed from their safety-sensitive functions. Such drivers are prohibited from performing, or being permitted to perform, a safety-sensitive function, including driving County trucks and motor vehicles with gross vehicle weight ratings between 10,001 and 26,000 pounds or which weigh 10,001 or more pounds when loaded (regardless of the vehicle's gross vehicle weight rating).
- 7.2 **Refusal To Submit:** Any driver who refuses to submit to a test will be terminated. Applicants who refuse to submit to a test will be ineligible for employment with the County. Refer to section 3.2 concerning what actions will constitute a driver's "refusal to submit."
- 7.3 **Positive Test Results:**
 - a. **Applicants:** All applicants who receive a verified confirmed positive drug test result will be ineligible for employment with the County.
 - b. **Drivers:**
 1. **Temporary suspension:** Any driver who is required to submit to a reasonable suspicion or post-accident drug or alcohol test pursuant to this policy will be temporarily suspended.
 2. **Confirmed positive drug test and alcohol test results of 0.04 or greater:** If a driver receives a confirmed positive drug test or an alcohol test result of 0.04 or greater, for the first time, the driver will be terminated from employment.
 3. **Positive alcohol test results of 0.02 or greater but less than 0.04:** A driver who receives a confirmed alcohol test result of 0.02 or greater, but less than 0.04, for the first time, will be suspended for at least 24 hours. A driver who receives a confirmed positive alcohol test result of 0.02 or greater for a second time will be terminated.
 4. **Fitness-for-duty evaluation in the event of driver's legal and authorized use of a controlled substance:** Whenever an employee is required to submit to a reasonable suspicion drug test and receives a positive test result caused by the employee's legal and authorized use of a controlled substance,

the County will require the employee to submit to a fitness-for-duty evaluation. An employee who tests negative may also be required to submit to a fitness-for-duty evaluation. The evaluation may include a review of the employee's medical records and/or a medical examination. The purpose of the evaluation is to determine whether the employee poses a significant risk of substantial harm to the health and safety of the employee or others in the workplace, including customers and visitors. Employees will be required to provide the necessary authorizations for obtaining the medical records and conducting the examination. Depending upon the results of the evaluation, the County will consider whether the safety or health risk can be eliminated or sufficiently reduced by a reasonable accommodation, if applicable.

- 7.4 **Other Policy Violations:** Drivers who commit policy violations other than those addressed in Sections 7.2 and 7.3 above will be subject to discipline, up to and including, immediate termination. Applicants who violate this policy will be ineligible for employment with the County.
- 7.5 **Potential Forfeiture of Workers' Compensation and/or Unemployment Compensation Benefits:** For purposes of this policy, violations of FMCSA's regulations and/or the requirements of this policy constitute gross and willful misconduct. In addition to the discipline and other consequences imposed by FMCSA and the County under this policy, such gross and willful misconduct may also result in the denial of unemployment compensation under the applicable state law. In addition, drivers who are injured as a result of a violation of FMCSA's regulations and/or the County's safety rules (including but not limited to the conduct prohibited under this policy) may also forfeit workers' compensation benefits under the applicable state law.

8.0 NOTIFICATION OF TEST RESULTS

Applicants will be notified of the results of a pre-employment drug test, if the applicant requests his/her test results within 60 days of being notified of the disposition of the employment application. Drivers will be advised of drug test results which are verified positive and the drug or drug(s) for which a positive result was verified. Drivers will be notified of the results of their alcohol tests immediately after the administration of the screening test and, if necessary, the confirmatory test.

9.0 TESTING EXPENSES AND COMPENSATION FOR TESTS

The County will pay for drug and alcohol tests and related expenses as follows:

- 9.1 All drug and alcohol tests required to be taken by drivers or applicants under this policy, including confirmation tests will be paid for by the County. The County will also pay for the analysis of the driver's split-sample. Any test taken at a driver's request will be at the driver's expense, unless the result of the test is negative. Applicants will be required to pay for split-sample tests in all locations, but will be reimbursed by the County if the result is negative. The County will also pay for the cost of the driver's transportation to the test site, if the test is conducted at a place other than the driver's normal work site.
- 9.2 All time spent by drivers providing a specimen required under this policy, including travel time to and from the collection site, will be considered as on-duty time. The driver will receive his or her regular compensation, including overtime, if applicable for such time.

10.0 RECORDKEEPING, ACCESS TO RECORDS AND CONFIDENTIALITY OF TEST RESULTS

10.1 The County will maintain records related to its drug and alcohol testing program as required by the FMCSA's regulations. These records will be maintained in a secure location with controlled access and will not be released to any person except as required by law or expressly authorized by the driver.

10.2 The laboratory may disclose drug test results only to the MRO. The MRO, STT and BAT may disclose test results only to the individual tested, designated County representatives, a treatment program, or a court of law or administrative tribunal to the extent required by law. Beyond that, a driver's test results shall not be released to any person without the individual's written consent.

11.0 INSPECTIONS

11.1 **Inspections Of County Property:** The County may conduct unannounced random inspections for drugs and alcohol on County facilities and property such as, but not limited to, County vehicles, desks, file cabinets, and County-issued employee lockers. Drivers are expected to cooperate in the conduct of such inspections. Inspections of County facilities and property may be conducted at any time and need not be based on reasonable suspicion.

11.2 **Inspections Of Driver Property:** Inspections of drivers and their personal property such as, but not limited to, vehicles, clothing, packages, purses, brief cases, lunch boxes, or other containers brought onto or being taken off of County premises may be conducted when there is reasonable suspicion to believe that the driver may have or has violated the drug or alcohol prohibitions contained in this policy.

12.0 EMPLOYEE ASSISTANCE PROGRAM ("EAP")

As part of the County's commitment to provide a safe, healthy and efficient working environment for our employees, the County maintains an Employee Assistance Program ("EAP"). The EAP provides information concerning the effects and consequences of alcohol and drug use on an individual's health, work, and personal life and the signs and symptoms of an alcohol or drug problem. In addition, the EAP provides referral services to drivers and their families seeking help with problems resulting from alcohol misuse and drug use. Participation in this program is voluntary and confidential. The EAP can discuss available counseling, treatment and rehabilitation programs, fiscal responsibilities, and can help the employee decide what program might be best for his or her situation. For further information, call the Human Resources Department.

13.0 SUBSTANCE ABUSE POLICY FOR WARREN COUNTY EMPLOYMENT APPLICANTS

The applicants policy applies to applicants for all positions with the County that if hired would be covered by the Warren County Alcohol & Drug Testing Policy Commercial Driver License Policy above. Questions regarding the meaning or application of this section of the policy should be directed to the Human Resources Department.

This policy is not a contract of employment. If an applicant fails to comply with this policy, the applicant will be ineligible for employment.

Required Pre-employment Drug Testing of all Applicants

All applicants to whom the County has given a conditional offer of employment may be required to submit to a pre-employment drug test and must receive a negative result as a condition of employment.

Testing Procedures

The County's pre-employment drug testing procedures comply with applicable state and local law. Except as otherwise may be required or permitted by the applicable state or local law, the County's pre-employment drug test procedures will follow the Federal Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 CFR Part 40, in effect on January 18, 2001 and in accordance with revisions to take effect on August 1, 2001 (with the exception of the provisions pertaining to Public Interest Exclusions and related provisions). The County's procedures ensure the integrity, confidentiality and reliability of the testing process, safeguard the validity of the test results and ensure that test results are attributed to the correct individual. These procedures are also intended to minimize the impact upon the privacy and dignity of employees being tested. A copy of the federal procedures and any applicable state law is available for review through the Human Resources Manager.

Consequences for Policy Violations

Positive Test Results: Any applicant who receives a confirmed positive drug test result will be ineligible for employment with the County.

Refusal to Submit: Any applicant who refuses to submit to a test will be ineligible for employment with the County. The following conduct will be considered as refusing to submit to a test:

1. Refusing to provide a urine sample or failing to provide an adequate amount of urine without a legitimate medical explanation.
2. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the County as part of the "shy bladder" procedures.
3. Refusing to complete the chain-of-custody or another form whose completion is required and necessary to conduct the test.
4. Refusing or failing to report promptly to the site where the drug test will be conducted after the applicant is notified that he or she must submit to the test.
5. Failing or declining to take a second drug test that the County or collector has directed to be taken.
6. Failing to cooperate with any part of the testing process, such as by delaying the collection, testing or verification process.
7. Adulterating or substituting a urine sample or attempting to adulterate or substitute a sample.
8. Otherwise engaging in conduct that clearly obstructs or manipulates, or attempts to obstruct or manipulate, the testing process.

Consumption of Food or Food-Products Containing Hemp: The consumption of food and food-products containing hemp may cause an applicant to test positive. A test result that is positive as a result of an applicant's consumption of food or food-products containing or made from hemp or hemp products will be reported as a positive test.

Warren County Board of Supervisors

RESOLUTION NO. 138 OF 2019

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

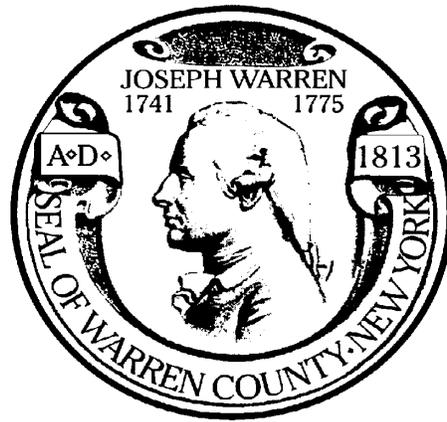
ADOPTING REVISED WARREN COUNTY SUBSTANCE ABUSE POLICY FOR EMPLOYEES

WHEREAS, the Self-Insurance Administrator presented to the Support Services Committee a Substance Abuse Policy for employees which was in place but not previously adopted by resolution, and

WHEREAS, the Support Services Committee has reviewed the Policy presented by the Self-Insurance Administrator and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Warren County Substance Abuse Policy for Employees, annexed hereto, be and the same hereby is, adopted as the official Policy for Warren County, and be it further

RESOLVED, that any and all prior Substance Abuse Policies for employees, Resolutions or parts thereof inconsistent with the annexed are hereby repealed effective March 15, 2019.



**Warren County
Substance Abuse Policy**

For Employees

Adopted: _____

1 STATEMENT OF PURPOSE

- 1.1 Warren County is firmly committed to ensuring a safe, healthy, productive and efficient work environment for our employees and the public we serve. The County has a vital interest in ensuring a safe, healthy and efficient working environment and in preventing accidents and injuries resulting from the misuse of alcohol or drugs. The unlawful or improper presence or use of drugs or alcohol in the workplace presents a danger to everyone. For these reasons, the County has established the following substance abuse policy.
- 1.2 This policy applies to all County employees, including those in management and supervisory positions. This policy does not apply to driver employees subject to the drug and alcohol testing requirements of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration or to departments who have their own approved substance abuse policy.
- 1.3 The County maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist recovering addicts or alcoholics and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others.
- 1.4 Questions regarding the meaning or application of this policy should be directed to the County Human Resources Department.
- 1.5 This policy is not a contract of employment. If an employee fails to comply with this policy, the employee will be subject to disciplinary action, up to and including termination and in accordance with the terms of any collective bargaining agreement and applicable Civil Service law and rules.

2 PROHIBITED CONDUCT

- 2.1 Prohibited Conduct Concerning Alcohol And Drugs: Any of the following conduct by an employee is prohibited:
 - a. Engaging in the illegal or unauthorized use of drugs at any time during business hours. This includes (but is not limited to) reporting for work after the illegal or unauthorized use of a drug, or using a drug illegally or in an unauthorized manner during the employee's workday (including meal and other break periods).

EXCEPTION: This prohibition does not apply to medications: (1) that have been legally prescribed to the employee; (2) that are being used in accordance with the prescription; and (3) which the employee has been advised by the employee's physician will not adversely affect the employee's safety at work, or the safety of others in the workplace or encountered in the course of working. If the employee is advised that his or her use of a medication is likely to adversely affect the employee or others at work, the employee has the responsibility to ask whether another medication can be prescribed or, if not, to advise Human Resources that he or she has been prescribed medication which may cause an adverse effect, without disclosing the medication's name or the reason for its use, in order to determine if an accommodation can be made while the employee continues to take the medication.

- b. Reporting for work or remaining on duty after the employee has consumed alcohol in an amount that may adversely affect or does adversely affect the employee's job performance.

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- c. Consuming alcohol by an employee who performs safety-sensitive functions, at any time, during an employee's workday regardless of whether an employee is on or off county premises, including (but not limited to) during an employee's personal meal and other break periods.

This prohibition does not apply to the moderate consumption of alcohol by employees of legal drinking age during non-working hours at social events sponsored by the county.

- d. Driving County vehicles at any time, including during non-business hours, if the employee has consumed any alcoholic beverages.
- e. Serving, consuming or bringing alcoholic beverages on or onto county premises.
- f. Receiving a confirmed positive drug test result, or confirmed alcohol test result of 0.04 or greater, on any test required under this policy.
- g. Engaging in any conduct which constitutes a "refusal to submit to a drug or alcohol test" as defined in Section 2.2 of this policy.
- h. Failing to stay in contact with the County or its Medical Review Officer (MRO) while awaiting the results of a drug test.
- i. Consuming alcohol within the eight-hour period immediately following a work-related accident (as defined in Section 3.1.d) or until the employee has submitted to an alcohol test (refer to Section 3.1.c) whichever occurs first.
- j. Engaging in the unlawful or unauthorized manufacture, distribution, dispensation, solicitation, sale, purchase, transfer or possession of controlled substances or alcohol under any of the following circumstances:
 - i. While an employee is on County-paid time.
 - ii. While an employee is on County property.
 - iii. While an employee is otherwise engaged in activities for or on behalf of the County.
 - iv. An employee's illegal conduct involving drugs or alcohol during non-work times may also result in disciplinary action, up to and including immediate termination.

2.2 Refusal to Submit to a Drug or Alcohol Test: The refusal to submit to any drug or alcohol test required under the County's policy, including tests that employees agree to take in connection with rehabilitation provided under this policy, will result in disciplinary action up to and including termination. An employee who engages in any of the following conduct will be considered to have refused to submit to a drug or alcohol test:

- a. Refusing to provide a urine or breath sample, or failing to provide an adequate amount of urine or breath without a legitimate medical explanation;
- b. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the County as part of the "shy bladder" procedures, or the insufficient breath procedures;
- c. Refusing to complete the chain-of-custody form or another testing form whose completion is required and necessary to conduct the test;
- d. Refusing or failing to notify the County promptly that the employee was involved in a work-related accident (as defined in Section 3.2) without a valid excuse;

- e. Refusing or failing to report promptly to the site where the test will be conducted after the employee is notified that he or she must submit to the test;
 - f. Failing or declining to take a second drug or alcohol test that the County or collector has directed to be taken;
 - g. Failing to cooperate with any part of the testing process such as by delaying the collection, testing or verification process;
 - h. Adulterating, excessive dilution, or substituting a urine sample, or attempting to adulterate, dilute or substitute a sample;
 - i. Refusing escort to or from the collection site; or
 - j. Otherwise engaging in conduct that clearly obstructs or manipulates, or attempts to obstruct or manipulate the testing process.
- 2.3 Consumption of Food or Food-Products Containing Hemp: The consumption of food and food-products containing hemp, (for example, “Seedy Sweeties” and hemp oil) may cause an employee to test positive for marijuana. Use of such hemp products will not be accepted by the County as a valid explanation for a positive test. A test result that is positive as a result of an employee’s consumption of food or food-products containing or made from hemp or hemp products will be reported as a positive test. (Refer to Section 6.2 of the policy concerning the consequences for testing positive).
- 2.4 Manager Responsibilities: No supervisor or manager who has actual knowledge that an employee has engaged in or is engaging in conduct prohibited under this policy shall permit the employee to work or continue to work under such circumstances and should report the incident to Human Resources.
- 2.5 Compliance with Federal Contract Requirements: The County is subject to the federal Drug-Free Workplace Act (DFWA). The DFWA requires employees who are convicted under a criminal drug statute for a violation that occurs in the workplace to advise the County of their conviction within 5 days of the conviction. Such employees will be subject to disciplinary action, up to and including termination.

3 REQUIRED TESTS

Except as otherwise provided in this policy, employees are required to submit to testing under the circumstances described below. Except where conditions otherwise require, all tests will normally be conducted either during or immediately after the regular work period, which includes any period when an employee is working overtime.

3.1 “Reasonable Suspicion” Drug and Alcohol Testing

- a. An employee must submit to a drug and/or alcohol test whenever the County, in accordance with applicable state or local law, has reason to suspect the employee has or may have used drugs or alcohol in violation of the County’s policy.
- b. Except as state or local law may otherwise provide, the County’s “reasonable suspicion” determination will be based on specific, current observations, that can be verbalized, including but not limited to the employee’s appearance, behavior, conduct, speech or body odors. These

observations may also include indications of chronic use of, or the effects of withdrawal from, drugs or alcohol. The determination may be based on a single instance of conduct involving a serious potential risk of harm to the employee or others, or to County property or the property of others, including, but not limited to, the property of the County's customers and suppliers. "Reasonable Suspicion" determinations will be made by, and/or in conjunction with, personnel who have received training on the signs and symptoms of alcohol misuse and drug use.

- c. In addition, whenever an employee causes or is involved in a work-related accident (as defined below) or near miss, and the County has reason to suspect that the employee's use of drugs or alcohol may have caused or contributed to the incident, the employee will be required to submit to a "reasonable suspicion" drug and/or alcohol test.
- d. As used in this policy, "work-related accident" means an accident:
 - i. Which occurs while the employee is on County premises, or is off-site while engaged in activities for or on behalf of the County, or occurs while the employee is operating a vehicle for or on behalf of the County, and
 - ii. The incident results in one or more of the following: (1) a fatality, (2) bodily injury to any individual who, as a result of the accident, requires immediate medical treatment (excluding first aid) at or away from the scene of the accident, (3) property damage to County property or to the property of a others, or (4) in the case of a vehicle accident, one or more vehicles involved in the accident incurs disabling damage as a result of the accident, requiring the vehicle(s) to be transported away from the scene by another vehicle
- e. All "reasonable suspicion" tests (including tests required after an accident) will be administered as soon as possible following the determination.
- f. Except where circumstances do not permit, the County will transport or make arrangements for the transport of the employee to and from the sample collection site.
- g. An employee who is required to submit to a "reasonable suspicion" test (including tests required after an accident) will be suspended with pay after the completion of the drug or alcohol tests. The County also reserves the right to evaluate the employee's conduct that triggered the drug and/or alcohol test to determine if the conduct in and of itself warrants disciplinary action or other administrative action, up to and including termination.

4 EMPLOYEE SELF-IDENTIFICATION OF SUBSTANCE ABUSE PROBLEM

- 4.1 Consistent with and subject to the County's policies concerning leaves of absence, employees who voluntarily self-identify themselves as having a drug or alcohol problem and who voluntarily request assistance for such problems will be referred to the Employee Assistance Program for an evaluation and for appropriate counseling, treatment, or a rehabilitation program, if recommended. The cost of the evaluation and any counseling, treatment or rehabilitation is the employee's responsibility. (For further details concerning the employee's payment obligations, employees should refer to their individual medical insurance plan.) Leaves taken under this section may be continuous or intermittent, or a combination of both, depending on the recommendation of the substance abuse professional.
- 4.2 This request must be made before the employee is required to submit to a drug or alcohol test required by this policy or is found to have violated other provisions of this policy. Employees may not use this self-identification provision to avoid taking a test when required under this policy or to avoid being counseled for failing to take such a test or failing to comply.

- 4.3 Once leave commences, periodic recertification that the employee is actively continuing to participate in the program, together with progress reports, shall also be required. As a further condition of taking such leave, the employee will be required to authorize the attending substance abuse professional to communicate directly with the County, including release of the employee's relevant treatment records to the County. All such oral and written communications between the substance abuse professional and the County shall be treated as confidential.
- 4.4 Except where the federal, state or local laws prohibits, all leave time taken for the evaluation, counseling, treatment or rehabilitation will be counted against any paid time off to which the employee may be entitled under County policy.
- 4.5 Consistent with and subject to the County's policies concerning leaves of absence and NYS Civil Service Laws, employees who take extended leave and successfully complete their counseling, treatment or rehabilitation program may be reinstated to their former position or to an equivalent position, provided that there is an available position. However, an employee will be entitled to reinstatement only if he/she would have continued to be employed had medical leave not been taken. An employee is not entitled to reinstatement if, because of layoff, reduction in force, or other reason, the employee would not be employed at the time at which job restoration is sought.

5 TESTING PROCEDURES

The County's drug and alcohol testing procedures comply with applicable state and federal law. Except as otherwise may be required or otherwise permitted by the applicable state or federal law, the County's drug and alcohol test procedures will follow the Federal Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 CFR Part 40, in effect on January 18, 2001, and in accordance with revisions to take effect on August 1, 2001 (with the exception of the provisions pertaining to Public Interest Exclusions and related provisions). The county's procedures ensure the integrity, confidentiality and reliability of the testing process, safeguard the validity of the test results and ensure that test results are attributed to the correct individual. These procedures are also intended to minimize the impact upon the privacy and dignity of the employees being tested. A copy of the federal procedures and any applicable state law is available for review from the County Attorney.

6 CONSEQUENCES FOR POLICY VIOLATIONS

Employees who violate the County's policy are subject to the following consequences:

- 6.1 Refusal to Submit: Employees who refuse to submit to a test when requested will be subject to disciplinary action, up to and including termination. Refer to Section 2.2 of this policy for a description of the conduct that will be considered as refusing to submit to a test.
- 6.2 Positive Test Results:
 - a. Temporary suspension with pay: Any employee who is required to submit to a reasonable suspicion-based drug or alcohol test (including a post-accident test) will be temporarily suspended with pay.
 - b. Employees who test positive: Any employee who receives a verified positive drug test, or a confirmed alcohol test of 0.04 BAC or greater, the employee will be subject to disciplinary action, up to and including termination.
- 6.3 Other Policy Violations: The employee will be subject to disciplinary action, up to and including termination.
- 6.4 Fitness-for-Duty Evaluation: Whenever an employee is required to submit to a "reasonable suspicion" test (including a test following an accident or near miss) and receives a positive test caused by the

employee's legal and authorized use of a controlled substance, the County will require the employee to submit to a fitness-for-duty evaluation. An employee who tests negative may also be required to submit to a fitness-for-duty evaluation. The evaluation may include a review of the employee's medical records, a medical examination or both. The purpose of the evaluation is to determine whether the employee poses a significant risk of substantial harm to the health and safety of the employee or others in the workplace, including customers and visitors. Employees will be required to provide the necessary authorization for obtaining medical records and conducting the examination. Depending on the results of

the evaluation, the County will consider whether the safety or health risk can be eliminated or sufficiently reduced by a reasonable accommodation, if applicable.

- 6.5 Potential Forfeiture of Worker's Compensation and/or Unemployment Compensation Benefits: An employee's violation of the County's policy will be considered as gross and willful misconduct. In addition to the disciplinary action and other consequences imposed under this policy, therefore, such employee misconduct may also result in the denial of unemployment compensation under applicable state law. Additionally, employees who are injured as a result of using drug or alcohol in violation of this policy and/or the other County safety rules, also risk forfeiture of workers' compensation benefits under the applicable state law.

7 INSPECTIONS

The County reserves the right to conduct searches of County property. Pursuant to this provision, the County is authorized to search lockers, desks, file cabinets, closets, toolboxes, vehicles, and any other County owned item in which drugs or alcohol may be present while on County property or in a County vehicle. Additionally, the County may search a vehicle owned by the County and used by the employee, regardless of whether the vehicle is located on County property at the time. County management or local authorities may conduct searches. To the extent County management requests the search and the employee is present, the employee may refuse the search; provided however, that such refusal may result in disciplinary action, up to and including termination for refusal to cooperate. The County reserves the right to conduct searches on its property or authorize searches by law enforcement officers on its property without the employee being present.

Warren County Board of Supervisors

RESOLUTION NO. 139 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS MERLINO, GERAGHTY AND THOMAS AUTHORIZING AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING WITH VARIOUS AGENCIES/DEPARTMENTS CONCERNING STOP-DWI PROGRAM FOR 2019 - TRAFFIC SAFETY

RESOLVED, that Warren County continue the contractual relationship, (the previous contracts and memorandums of understanding being authorized by Resolution No. 470 of 2017), with the following agencies/departments for various STOP-DWI programs and activities for the amounts indicated, for a term commencing January 1, 2019, and terminating December 31, 2019, and the Chairman of the Board of Supervisors be, and hereby is, authorized to execute agreements and memorandums of understanding in the form approved by the County Attorney and in the amounts set forth below:

<u>AGENCIES/DEPARTMENTS/ADDRESS</u>	<u>AMOUNT NOT TO EXCEED</u>
City of Glens Falls Glens Falls Police Department 42 Ridge Street Glens Falls, NY 12801	\$39,375.00
Warren County District Attorney's Office Warren County Municipal Center 1340 State Route 9 Lake George, NY 12845	\$28,875.00
Warren County Probation Department Warren County Municipal Center 1340 State Route 9 Lake George, NY 12845	\$26,250.00
Warren County Sheriff's Office 1400 State Route 9 Lake George, NY 12845	\$39,375.00

and be it further

RESOLVED, that the funds shall be expended from Budget Code A.3315 470 STOP-DWI Program Contract.

Warren County Board of Supervisors

RESOLUTION NO. 140 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, MERLINO, THOMAS APPOINTING AND REAPPOINTING MEMBERS OF TRAFFIC SAFETY BOARD

RESOLVED, that the following individuals be, and hereby are, appointed as members of the Warren County Traffic Safety Board for the term set opposite their name:

NAME & ADDRESS

TERM

REAPPOINTING:

Kevin B. Geraghty, Supervisor
Town of Warrensburg

01/01/19 - 12/31/21

Eugene Merlino, Supervisor
Town of Lake Luzerne

01/01/19 - 12/31/21