

# Warren County Board of Supervisors

**AGENDA  
FRIDAY SEPTEMBER 18, 2020  
BOARD MEETING**



**10:00 a.m. Call Meeting to Order**

**Pledge of Allegiance - Supervisor Leggett**

**Roll Call**

**Privilege of the Floor to Congresswoman Elise Stefanik**

**Privilege of the Floor to Senator Elizabeth O’C. Little**

**Privilege of the Floor to Assemblyman Daniel G. Stec**

**Motion to approve minutes of the August 21, 2020 Board Meeting, subject to correction by the Clerk**

**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**

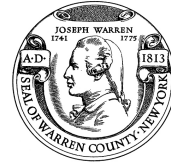
**Privilege of the Floor and Public Comment**

**Announcements**

**Motion to Adjourn**

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***Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed".***

The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:02 a.m.

Mr. Frank E. Thomas presiding.

Chairman Thomas asked that everyone remain standing for one minute immediately following the pledge of allegiance for a moment of silence in memoriam of Edward Bartholomew, who had recently passed away.

Salute to the flag was led by Supervisor Leggett.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Simpson, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Seeber, Beaty, Shepler, Geraghty and Thomas-20 Absent -0

Supervisors Diamond, McDevitt, Braymer, Driscoll, Frasier, Simpson, Merlino, Wild, Magowan, Seeber, Shepler, Geraghty and Thomas were present at the meeting, while Supervisors Beaty, Bruno, Conover, Dickinson, Hogan, Leggett, and Strough attended via teleconference.

Proceeding with the Agenda review, Chairman Thomas offered privilege of the floor to Assemblyman Stec, who stated the State Legislature had not been called back into session as of yet because they were waiting to see what, if any, type of action the Federal Government was going to take in terms of providing financial assistance to the State, school districts and local municipalities to make up for the loss of revenue as a result of the Coronavirus. He stated Congress was back in session and was scheduled to meet over the next three weeks during which time Congresswoman Stefanik had indicated to him she was confident whatever type of relief they would provide would be acted on. In regard to what would occur with the State aid provided to the local school districts and municipalities, Assemblyman Stec advised these questions remained unanswered, but this was front and center as schools were just beginning the school year. He stated one of the issues he was dealing with concerned visitation in nursing homes, as the Governor announced new rules a few days ago regarding how long the facilities had to go without any positive cases before they would be permitted to allow visitors inside. He said previously the timeframe had been twenty-eight days, but as of yesterday it was fourteen days; however, he noted, one of the issues that came out of this was the individuals who wanted to visit were being told they needed to be tested, but if they were asymptomatic they could not be tested. He apprised he was working with his contacts in the Governors Office in an attempt to be provided with some guidance on that because he was well aware individuals were anxious to visit their family

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members who resided in nursing homes. He added the turn around time on these tests was crucial, as they were all aware of what could occur with the lag time of obtaining the test results with what occurred in a nursing home in Essex County, but that was a side issue. He suggested the Supervisors encourage those with questions regarding nursing home visitation to contact his Office.

Supervisor Simpson inquired about the timeframe issue pertaining to the Constitutional Amendments and whether it had been decided if it was outside of the time limit to be brought forth this year. Assemblyman Stec responded he was aware of the timeframe issue in question from his discussions with representatives of the NYS DEC (*New York State Department of Environmental Conservation*); however, he noted, he was unsure if they had gotten a firm resolution as to whether their timeframe issue was insurmountable so he could not answer that part of the question. He said as a more practical matter when and if the State Legislature went back into session after the Federal Government took action; he added they were also running up against Election Day which as a practical matter meant that the State Legislature would not want to spend anymore time than necessary in session. He said this meant the calendar was working against them considering these Constitutional Amendments before the end of the year, as their priority would be to respond to how the Federal Government took action with respect to COVID-19 and attempting to get any financial legislation taken care of that would benefit the school districts and municipalities. He remarked his hope was for these Constitutional Amendments to move forward, but he was not aware of any action being taken in the State Legislature since they last spoke about this a few weeks ago.

Chairman Thomas thanked Assemblyman Stec for taking the time to provide the Board Members with an update regarding the State Legislature and what he had been focusing on.

Chairman Thomas noted a motion was necessary to approve the minutes of the August 21<sup>st</sup> Board Meeting, subject to correction by the Clerk of the Board. The motion was made by Supervisor Simpson, seconded by Supervisor McDevitt and carried unanimously.

Continuing to the report by the Chairman of the Board, Chairman Thomas stated on September 10<sup>th</sup> he was invited by Congresswoman Stefanik to make a few comments at the High Peaks Distillery in Lake George regarding the announcement of the award of \$3.2 million to the Lake Champlain-Lake George Regional Planning Board for the purpose of providing loans to businesses to assist them with surviving the impact on their businesses as a result of the Coronavirus. He apprised on September 16<sup>th</sup> he attended the memorial for Edward Bartholomew, along with many other Supervisors. He mentioned he had signed a letter written by Michael Bittel, *President and CEO, Adirondack Regional Chamber of Commerce*, requesting that the Federal Legislators reinstate the J-1 Visa Program by January of next year, as it was vital for many employers in the region for staffing purposes during the summer season. Chairman Thomas congratulated Supervisor Dickinson for the recognition he received from The Fund for Lake George in their Profiles in Protection series for his efforts to protect Lake George, as he believed it was a well deserved recognition.

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

Supervisor Leggett apprised the Public Safety Committee had met on August 24<sup>th</sup>, approving proposed Resolution Nos. 322-332, as well as referring several request to the Personnel & Administration and Finance Committees for approval. He stated he had met with the Budget Team on September 3<sup>rd</sup> for the purpose of reviewing the 2021 budget requests for Fire Prevention & Building Code Enforcement, Office of Emergency Services, Traffic Safety Board and the Sheriff's Office; he commended Charles Wallace, *Director, Fire Prevention & Building Code Enforcement*, James LaFarr, *Warren County Sheriff*, Terry

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Comeau, Warren County Undersheriff, Monica Girard, Executive Assistant, Warren County Sheriff's Administration, Brian LaFlure, Fire Coordinator/Director, Office of Emergency Services, Amy Drexel, Emergency Services Coordinator, and Jennifer Ramsey, Office Specialist, Office of Emergency Services, for their work on their departmental budgets. He informed he had attended the interviews for the Director of the Office of Emergency Services position on September 15<sup>th</sup> where they identified who would move forward to be interviewed in a joint meeting of the Public Safety and Personnel & Administration Committees. He mentioned on September 16<sup>th</sup> he had attended a presentation by NYSAC (New York State Association of Counties) entitled "Policing 2020 What We Have Learned and How Do We Can Change" which was based off of the requirements of Executive Order No. 203 which required the Sheriff's Office to develop a plan to be approved by the Board before April 21, 2021. He said Sheriff LaFarr and Undersheriff Comeau were working on this plan now, adding because the Sheriff's Office was accredited much of the ground work was already completed. He advised Sheriff LaFarr had notified the Public Safety Committee at their last meeting that the Sheriff's Office had a successful audit by the New York State Division of Criminal Justice Services for Accreditation which he noted less than 40% of Sheriff's Offices across the State accomplished.

Supervisor Diamond indicated he had nothing to report on.

Supervisor McDevitt informed on September 16<sup>th</sup> he had observed a group of volunteers and County employees planing a pollinator garden along the Warren County Bike Trail in Ward 2 of the City of Glens Falls which would add beauty to the trail, as well as having a fundamental ecological benefit in terms of pollination and a bee population which was dwindling throughout the world and accounted for 30% of food in this Country. Supervisor McDevitt mentioned an article featured in today's edition of *The Post Star* regarding a million dollar wetlands restoration project along the Schroon River, apprising he felt they should recognize major corporations that fundamentally did the right thing in this Country. He stated the owner of the property mentioned in the article was Equity Lifestyle Properties of Chicago, who owned more than 400 campgrounds throughout North America, and decided to fund the million dollar project. He said what caught his attention was that the wetlands were a spawning ground for trout and other fish which was why this project was completed in time to coordinate with the spawning. He stated representatives of the corporation had indicated they were here for the long-term and wanted to give back to the community and he felt they should be recognized for their efforts. Supervisor McDevitt apprised he had discussed the two coronavirus cases that occurred in the Queensbury Elementary School with a teacher from that School District during which she commended the Health Services Department for their response. He mentioned he felt there was a lot of work going on the public was unaware of that they should be commended for.

Supervisor Braymer advised she and Supervisor Seeber has attended the ribbon cutting ceremony for the work on the wetlands at the Lake George Escape Campground which she was thoroughly impressed with. She mentioned what she took away from this was the Corporation was sincere about wanting to give back to the natural resources that had made their site so special and contributed to their long-term success. She remarked how pleased she was to witness the environmental and financial aspects coming together. Supervisor Braymer apprised the Environmental Concerns & Real Property Tax Services Committee had met on two occasions over the past month where they approved proposed Resolution Nos. 312 and 361-362 and she provided a brief overview of each. She noted the County Foreclosure Auction was scheduled for October 17<sup>th</sup> and would include some special guidelines related to COVID-19 as noted in Resolution No. 361. She said these guidelines included only allowing fifty people into the courtroom at a time, as well as requiring individuals to sign up to bid on properties at the office of the town where the property was located which was why they would have to review the packet that listed all of the properties being auctioned off to determine which ones they would like to bid on. She stated she would ensure the packet would also be posted to the County website and on all of the County social

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media platforms in advance of the auction. In regard to Environmental Concerns, Supervisor Braymer informed the Committee was continuing to review the Septic Inspection at Transfer Law and would be doing more collaboration and attempt to garner more feedback from the stakeholders in the community. She stated Chris Belden, *Assistant County Planner*, was agreeable to discussing this at a Water Quality meeting on October 14<sup>th</sup> where organizations like Warren County Soil & Water Conservation Department, lake associations and code enforcement officers would be in attendance; she added the meeting would be held via Zoom and would be open to the public, as well. She stated the other matter they discussed at the meeting concerned supporting a green amendment to the New York State Constitution which would add to the Constitutional right to have access to clean air, clean water and a healthy environment, but the consensus of the Committee was for more information to be provided by the Adirondack Mountain Club at the next Committee meeting before a decision was rendered.

Supervisor Bruno indicated he had nothing to report on.

Supervisor Driscoll stated the Human Services Committee had met on August 24<sup>th</sup>, approving proposed Resolution Nos. 316-319 and he provided a brief overview of each. He advised he had attended the groundbreaking ceremony yesterday for the new administrative building of the Glens Falls Housing Authority, who was involved in a major redevelopment of their senior and family complexes. He announced open enrollment for the public housing waiting list was ending September 25<sup>th</sup> and he encouraged anyone who needed additional information to contact him or the Glens Falls Housing Authority.

Supervisor Frasier advised the Finance Committee had met on September 3<sup>rd</sup>, approving proposed Resolution Nos. 306-307 and 342-360. She said she had also met with the County Treasurer to review his 2021 Budget request which she commended him on. She offered privilege of the floor to Mike Swan, *County Treasurer*, to provide an update on the County finances.

Mr. Swan informed the County had yet to receive any Casino Pact payments since the 3<sup>rd</sup> quarter of last year nor had they received any revenue from the medical marijuana sales, as well as the State reimbursements they typically received during this time of year. In regard to sales tax revenue, Mr. Swan indicated for the month of August they were down about \$500,000 as compared to the same timeframe last year which he found to be questionable because all of the indicators he had reviewed signified that figure should be even or a possible slight increase. He stated he was encouraged by the number of large checks that had been received for occupancy tax, apprising he did not want to be overly optimistic, but it appeared as if the County had a strong summer season.

Supervisor Braymer inquired what the percentage decrease was for sales tax, as she recalled a report from the State Comptroller that indicated the North Country region had one of the lowest percentage decreases in sales tax in the State which she found to be encouraging. Mr. Swan replied the decrease as of last month was 7.5%; however, he noted, because the State had just released the figures he did not have time to calculate the percentage decrease, but he would distribute that to the full Board on Monday morning. He remarked he could not comprehend how sales tax revenue could have decreased since car sales had increased and big box retailers like Lowe's, Home Depot, Target and Amazon were all reporting record profits right now. He said he was aware there were businesses that were struggling in the County, such as some of the resorts where weddings were held, but he believed the increases more than outweighed the decreases and more specifically the car sales which encompassed 10% of sales tax collections in the County because the dealerships he had spoken to all indicated they had record sales during May, June and July of this year. He surmised the decline related to the State keeping a portion of the County's sales tax collections as a result of the cash flow crisis they were in; however,

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he noted, there was no way to prove this. Ryan Moore, *County Administrator*, interjected the State was withholding for the marketplace transactions and the other pertained to the distressed hospitals. Mr. Swan apprised the withholding regarding the distressed hospitals would be done in January and the one for marketplace transactions was taken at the end of the year which meant neither of these factored into the decrease.

Supervisor Braymer questioned if the factory outlet stores factored into the decline because they did not appear to have had a busy summer season and Mr. Swan responded during inclement weather the traffic had been backed up down to the Six Flags Great Escape Resort which he used as an indicator to determine they were doing well. He added each time he had traveled through Lake George this summer there had been larger crowds than he had observed in years. Supervisor Magowan questioned whether the County could request a report regarding how much sales tax was collected from each business in the County and Mr. Swan replied his repeated requests to the State for such a report was always denied.

Supervisor Seeber asked Mr. Swan to provide an update regarding his meeting with representatives of Airbnb. Mr. Swan apprised one meeting had been held with them and another was scheduled within the next ten days. He said it appeared as if they were agreeable under certain circumstances to collect occupancy tax funds for the County on the short-term rentals; however, he noted, further negotiations were required because the way they wanted to handle it differed dramatically from how the County felt it should be done. He mentioned he had also discussed with them occupancy tax collections they may have collected from 2018 until now which was a separate issue.

Supervisor Geraghty suggested they appeal to the businesses located within the County to contact Mr. Swan and advise him of how much sales tax they had remitted to the State over the last three months because this would impact the County Budget and the property taxes these businesses would pay. He said he concurred with Mr. Swan that the County was not receiving their fair share of the sales tax revenue collected here and if businesses were willing to send them this information they could get a better accounting of how much revenue was collected. Mr. Swan apprised he had talked to a significant number of local businesses, most of which had indicated this summer was a record year for them. Supervisor Geraghty stated he concurred with Mr. Swan, as he was aware that car dealers could not keep cars on their lots because they were selling them so quickly. Mr. Swan restated car sales made up ten percent of the total amount of sales tax collected for the County and their sales were up by thirty percent over a three month period and he questioned where the sales tax from these sales were. Supervisor Geraghty remarked he was troubled that the County might have to adjust its budget because the State was keeping a portion of the County's share for themselves. He pointed out how the State had placed the blame on the school districts when they made cuts because they were reacting to negative press. He said maybe they should spread the word that the State was short changing the County. Mr. Swan stated typically the State did an adjustment at the end of September or early October and he was hoping the County would get some additional sales tax revenue from that, but he was unsure if this would occur.

Supervisor Beaty apprised he liked Supervisor Geraghty's suggestion that they request that the local businesses notify them about how much sales tax they paid to the State, as this would be a good way to get a better handle on this. He stated the State keeping the County in the dark regarding sales tax collection had been an on-going issue for years and Mr. Swan had repeatedly requested additional information from the State, but they had denied his requests. He said the State provided the County with the amount they felt the County was entitled to which he found to be troubling since they did not verify the figures, more so now during this difficult financial time. Supervisor Beaty inquired whether the County employee whose duties consisted of auditing properties who collected occupancy tax had advised Mr. Swan to review data from 2018 to collect additional occupancy tax that was owed to the

County and Mr. Swan responded the Board had adopted a resolution which included a provision to collect occupancy tax from short-term rentals, but very little had been collected since then from these properties. He said there was some indication that Airbnb and some of the other short term rental internet providers may have collected some occupancy tax during that period of time from property owners, but they did not remit it to the County. He stated these were the past collections they were currently working on. Supervisor Beaty asked for clarification that these providers had collected occupancy tax and Mr. Swan replied he did not know for sure that they did, but it appeared they may have. Supervisor Beaty inquired when Mr. Swan felt he would be able to provide an update on this and Mr. Swan responded he hoped to be able to clarify whether this occurred and report back to the Supervisors within the next month or so, as they were currently working on registering all of the short-term rentals located in the County which he believed there were around 950 properties. He informed it took his staff around an hour to process each registration resulting in a significant amount of work because a substantial amount of registrations arriving each day.

Supervisor Conover questioned whether Mr. Swan was aware of how much sales tax revenue was received in August of 2019, as he wanted to use this as a comparison to determine what type of impact the pandemic was having on the County. He pointed out last month the decline compared to the previous year was 12.2%, in June it was 20.2%, in May it was 8.1% and in April it was 26.6%, apprising it appeared as if the figures were headed in the right direction and he asked Mr. Swan if he concurred and Mr. Swan replied affirmatively. Supervisor Conover informed overall sales tax was down 7.2% for the year because the first quarter had come in above what was collected during the same timeframe the prior year, adding he was interested in seeing what the outcome was for August and September of this year. Mr. Swan apologized for not having the specifics available today, but he indicated he would be distributing that information on Monday morning.

Mr. Moore stated he had pulled up the County Treasurer's report on sales tax for August of last year and it indicated \$4.9 million was collected during this time period and \$4.5 million was collected in August of 2018. In regard to the State keeping a portion of the County's share of its sales tax revenue, he advised in April of 2019 was when the State first began doing this during which he had indicated at that time would not be the last time this occurred and then a year later the State decided to keep another portion of the County share of its sales tax revenue. He informed in April of 2019 the State kept \$225,000 and this year they retained \$553,000, both of which would be withdrawn in January of 2021. Mr. Swan apprised the first deduction would be done in December of this year and the other one would be in January for the distressed hospitals, with the deductions being made on a quarterly basis going forward.

Supervisor Simpson advised the Personnel & Administration Committee had met on September 3<sup>rd</sup>, approving proposed Resolution Nos. 335-341. He highlighted proposed Resolution No. 338, *Approving the Warren County Policy Against Discrimination and Harassment Which Replaces the Warren County Plan and Program on Workplace Harassment*, which involved the addition of language that any findings of wrong doing would be reported to the Personnel & Administration Committee within a sixty day timeframe provided there was no delay required by law enforcement. He stated proposed Resolution No. 340, *Authorizing Continuation of a Medicare Advantage Insurance Plan for Warren County Retirees*, authorized continuation of the Medicare Advantage Insurance Plan for retired employees which they received a significant amount of positive feedback on. He informed proposed Resolution No. 341, *Authorizing Continuation of Health, Dental, Vision and Voluntary Life and Accident Insurance for County Officers, Employees and Retirees*, authorized continuation of the County's health, dental, vision and voluntary life and accident insurance.

Supervisor Hogan informed Cornell Cooperative Extension would be offering a Community Parenting

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Program via Zoom each Thursday night in the month of October from 6:00 p.m. until 8:00 p.m. She stated the five week series would focus on replacing any ineffective or hurtful parenting styles with effective child friendly skills by teaching five basic parenting skills that highlighted key parenting issues and she encouraged anyone interested to contact Cornell Cooperative Extension to sign up. She mentioned on Saturday, October 14<sup>th</sup> from 10:00 a.m. until 1:00 p.m. they would be holding their Achievement Day which recognized all of the participants in the 4-H Program throughout the year; she added in addition this year they would be doing it as a service day to support 4-H community projects. She said another significant program they would be offering was Family Budget Coaching which grew out of their popular Tax Preparation Program. She stated this would be a free program for families and individuals who wanted to get a better handle on their finances. She informed one on one appointments would be offered with trained volunteers with locations in the City of Glens Falls and the Towns of Johnsbury and Warrensburg.

Supervisor Dickinson stated the Occupancy Tax Coordination Committee had met on August 31<sup>st</sup>, approving proposed Resolution Nos. 320-321. He mentioned he would like to make a motion to table proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services*, at the appropriate time.

Supervisor Merlino apprised the Tourism Committee would be meeting on September 28<sup>th</sup> to review their 2021 Budget request which they were still working on. He said the fall advertising was completed and now they planned on working on one for the winter season.

Supervisor Strough indicated he had nothing to report on.

Supervisor Wild advised there were no resolutions concerning the Economic Growth & Development and Higher Education Committee, but he would like to provide an update on the activities of the Economic Recovery Task Force which was a great cooperation between public and private entities who worked together to try and create a back stop for the County's sales tax gap by growing the County's economy. He said one of the results he felt everyone was aware of was what occurred with Lake George, but the group could not take credit for that because this was likely related to COVID-19 and individuals wanting to get out of their homes and travel to a safe place, which Lake George was. He mentioned the group which was lead by Mark Behan, *Behan Communications*, was working on communication and strategian in terms of what was required in order to assist Lake George in continuing to attract visitors throughout the pandemic, as well as a substantial focus on now and how to expand upon the fall and winter activities within the County. He apprised the Lake Champlain-Lake George Regional Planning Board was awarded \$2.9 million in grant funding for the purpose of providing relief to businesses impacted by COVID-19. He stated there was an effort underway to provide consulting to at-risk businesses in an attempt to assist them with understanding how they could recover financially from the loss of business as a result of the pandemic. He informed from a workforce standpoint in the childcare and hospitality industries training and transportation were the priority. In regard to the EDC (*Economic Development Corporation*), Supervisor Wild stated he had also attended the event honoring Edward Bartholomew, who would be missed. He stated they were focusing on broadband, water, sewer and solar power, all of which would be discussed at a special meeting of the Economic Growth & Development and Higher Education Committee later this month, as well as the EDC's plans and goals which he invited everyone to attend, as he believed it would be an informative meeting. He advised the Economic Recovery Task Force was also looking at Federal, State and local policies that were infringing upon businesses located in the County's efforts to grow to expand the economy, such as the one

mentioned earlier concerning the J-1 Visa Program that Chairman Thomas had signed off on a letter. He added there were also policies regarding benefits for individuals with disabilities who could risk losing them if they were to get a job which they were reviewing to determine if there was an opportunity to offer some transitional benefits to allow these individuals to return to work without taking the risk of losing all of the benefits they had. He advised in regard to tourism, there was an effort to obtain metrics for the purpose of determining the County's return on investment, such as whether the funds were being used for the appropriate purposes, were they focusing on areas where a larger influx of visitors was occurring, etc. He apprised SUNY Adirondack had also made significant cuts to their operating budget and were similarly concerned about what cuts the State would be making to their contribution to them, as well. He said the Fall Semester had started and they were carrying out testing for COVID-19 on their students with no issues thus far. Supervisor Wild remarked he would be remiss if he did not mention the Census, as the deadline to submit responses was fast approaching and he encouraged the Supervisors to urge their constituents to submit their response because the results directly related to the amount of Federal funding the County received which everyone benefitted from.

Supervisor Magowan informed he had attended all of the meetings with the departments he was charged with overseeing and the Budget Team, apprising all of them did incredible jobs putting together their individual budgets. He stated he had attended a number of Committee meetings this month and would be supporting a significant number of resolutions that were before them today.

Supervisor Seeber reported on the August 24<sup>th</sup> Criminal Justice Committee meeting, where they approved proposed Resolution Nos. 309-311 and she provided a brief overview of each. In regard to activities that concerned Criminal Justice, she apprised she would like to highlight this morning she had the opportunity to meet with Kevin Hajos, *Superintendent of Public Works*, and Frank Morehouse, *Superintendent of Buildings*, to discuss the referral from the Criminal Justice Committee to the County Facilities Committee pertaining to a brick walkway for crime victims'. She said she wanted to take an opportunity to clear up some confusion and reiterate that these bricks honored crime victims' from Warren County which were usually paid for by the victims families or a sponsoring agency. She stated it appeared they were going to be able to do something for little to no cost in front of the Warren County Municipal Center building; she added they would be asking the local Boys and Girl Scout Troops for assistance with a bench to continue to honor these crime victims'. Supervisor Seeber informed there had been a discussion regarding additional space for the Public Defenders Office at the August 24<sup>th</sup> Committee meeting since the resolution authorizing a lease agreement with 333 Glen Street had been tabled based on the recommendation of the County Attorney's Office. She said the search for the additional space was still ongoing and she voiced her appreciation of the County staff and Supervisor Beaty to ensure this was handled in an expeditious fashion. Continuing on, Supervisor Seeber apprised she had an opportunity to attend some of department meetings with the Budget Team, informing she had been critical in the past of the budgeting process and the lack of an invitation to the full Board to ensure this process was handled in a transparent manner. She voiced her appreciation of being invited to attend these meetings and observe what occurred in more than just the departments she was charged with overseeing which she credited Supervisor Geraghty and Mr. Moore for because not only did they allow this process to be more transparent, but they also allowed an opportunity for everyone who attended to ask questions. She mentioned she had attended a NYSAC seminar yesterday concerning social media and how in a socially distant world the use of technology was needed. She said this supported the fact that the County had a definitive need for Don Lehman, *Public Relations Director*, and she asked that the Personnel & Administration Committee meeting agenda include an update from him regarding the significant growth since the end of January that had occurred in the County. She stated as an example yesterday the County had distributed hand sanitizer at the Aviation Mall and a number of people had attended as a result of Mr. Lehman posting information regarding the event on

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the County social media sites. She said the public had showed up to this event with questions, concerns and compliments which she attributed to the growth in the communication to the public and she applauded these efforts, adding she thought an update regarding how this has grown would be helpful. She recognized Supervisor Dickinson for allowing her to take a few weeks to research some recommendations on changes to occupancy tax application process which she was appreciative of. She advised she continued to attend NACo (*National Association of Counties*) meetings, two of which were for Public Safety and the other one involved Resilient Counties this month. Supervisor Seeber informed while dealing with a number of other matters, Mr. Moore still managed to respond to two constituencies and impacted a State-wide effort; she said while they may consider different professions and wonder how they were impacted by COVID there had been some discussions pertaining to the growth of some, she believed there were definitely some industries they had not discussed how the pandemic had been so crumbling to their business. She apprised when the Association of Aestheticians contacted Mr. Moore about how they could continue to do business, Mr. Moore advocated on their behalf and worked with The Control Room resulting in a swift change, apprising she was appreciative of the time and attention he had provided that given his busy schedule, as well as responding to questions from The LARAC (*Lower Adirondack Regional Arts Council*) and other constituent concerns he and Mr. Lehman replied to in a swift manner and she wanted to ensure she thanked them in public for that. She advised she also had questions regarding proposed Floor Resolution No. 1 which she would inquire about at the appropriate time.

Supervisor Beaty stated the County Facilities Committee had approved proposed Resolution No. 308 which he provided a brief summary of. He apprised upon the recommendation of his brother who was a doctor he did not attend the Memorial Service for Mr. Bartholomew due the large crowd that was expected and he expressed what a significant asset Mr. Bartholomew was to the County and the City of Glens Falls. He informed Mr. Bartholomew held a special place in his heart for performing the services at his mothers funeral, adding Mr. Bartholomew was also a phenomenal public servant who had the skill of connecting with everyone in a positive manner which was beneficial for the County. Supervisor Beaty informed the County Facilities Committee meeting scheduled for September 22<sup>nd</sup> would include discussion regarding Forest Enterprises request for an additional \$270,000 from the County to cover the cost of their legal fees and interest they occurred as a result of their lawsuit against the County for prematurely taking their land for the now debunked runway extension at the Airport and he encouraged everyone to attend because the County was looking at paying almost a half million dollars as a result of poor decisions made by the Board in the past.

Supervisor Shepler indicated she had nothing to report on.

Supervisor Gergaghty thanked all of the County Department Heads and staff for submitting realistic 2021 Budget requests, apprising he was still working on compiling a Tentative 2021 County Budget for the full Board to consider. He thanked Mr. Moore for his hard work reviewing each budget code and suggesting where cuts could be made which he was mostly agreeable to. He echoed Supervisor McDevitt's comments regarding Health Services, informing a constituent had mentioned to him how they were able to contact their Department with questions regarding the pandemic. In regard to Supervisor Dickinson's announcement that he would be requesting to table proposed Resolution No. 321 concerning Occupancy Tax, Supervisor Geraghty voiced his opposition to tabling what the Committee felt was appropriate for the County based off of the amount of occupancy tax being collected.

Supervisor Conover apprised the Public Works committee had met on August 25<sup>th</sup>, approving proposed Resolution Nos. 333 and 334 and he provided a brief overview of each, as well as proposed Resolution Nos. 335-341 which were approved by the Personnel & Administration Committee. He stated he would

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like to take this opportunity to thank the fire departments who assisted the Bolton Fire Department with the response to a fire at a local restaurant on Main Street in the Town of Bolton and he extended his heartfelt condolences to the owners of the business.

Continuing to the report by the County Administrator, Mr. Moore recognized Julie Pearl for 35 years of service to the Department of Social Services, which he was greatly appreciative of.

Mr. Moore informed he would like to mention some google mobility statistics which were brought to his attention by NYSAC. He stated google had the ability to use cell phone data and monitor how many individuals from out-of-town were typically in an area at any given time which they could bench mark and compare to prior years. He advised they did this for the month of August and out of the sixty-two Counties located in the State only eighteen of them had more people this August then in August of 2019. He stated Essex County had the largest increase of 72% more then the prior year, Warren County had the second largest increase of 38% which scientifically proved what Mr. Swan had indicated earlier in the meeting that there was a busy summer season in the County this year in spite of the pandemic and because of all the efforts of the local businesses to ensure that they provided a safe experience. In regard to Supervisor Seeber's comments regarding him spending time advocating on behalf of these businesses, Mr. Moore remarked this was the most important thing any of them could do which he felt everyone was aware of, as all of them were working hard this year in an attempt to position the County in a good place which they had been successful at and was the reason he would drop everything when there was a business in need of something from the State even if his advocacy efforts were unsuccessful in the event they were providing a safe experience and were going out of their way to do good work. He mentioned the third largest increase was Wyoming County with a 30% increase, Sullivan County had a 20% increase, Tyoga County had a 15% increase and anyone else with an increase was down in the single digits. He pointed out all of the Counties with increases were smaller ones, with Warren County being the largest one of the group which, he noted, was a great accomplishment.

Mr. Moore advised he was keeping tabs on the activities of the Federal Government and whether they would be providing any aid to the States and local governments, as he was unsure if any aid would be provided. He stated NYSAC was currently highlighting an effort by the Bi-Partisan Congressional Problem Solvers Caucus which NYSAC believed had the best shot at moving forward over the other proposals that were made and they acknowledged several members of the New York State Delegation that were members of that Caucus which was Co-Chaired by Tom Reed who represented Central New York. He remarked at this point the County was hopeful that an aid package would be adopted that would provide some form of relief to the States and local governments because New York State's budget was predicated on that Federal aid and if no Federal aid was provided the Governor had the authority to adopt a provisional budget and make cuts to the County's State aid. He said they had been notified that State aid would likely be cut back 20% if the Governor had to exercise that option which equated to a loss of \$3.5 million to the County. He advised he had also been notified because of the State's multi-year forecast the County could anticipate the 20% cut would be made permanent which was not sustainable, as it would be difficult, but feasible to sustain such a cut for one year, but not if it continued on into future budgets because it would deplete the Unappropriated Surplus Fund Balance to below \$10 million in a few years resulting in the County having to borrow money to cover its payroll expense. He indicated the action taken by the Federal Government over the next few weeks was imperative for the County, as was the State's actions if the Federal Government took no action, noting everything the County had worked hard to build up was in jeopardy.

In regard to the issue with "Glamping", Mr. Moore apprised on August 25<sup>th</sup> the Public Works Committee had discussed this issue at length just as they had every month since May and there was some hesitancy to terminate the contract with Adirondack Safari with the will of the Committee being to

make every attempt not to do that unless it was a mutual termination. He said the Committee had requested that County staff contact Adirondack Safari and ask whether they would be willing to move forward with a mutual termination to which Adirondack Safari indicated they did not believe the mutual termination was fair because of the situation with the pandemic they had been unable to provide the service and make the required payment to the County. He mentioned during the meeting a question was asked regarding what the contract indicated in regard to termination, but the answer was inadequate. He read aloud an exert from the contract which indicated the contract was initially for June 12, 2018 through September 1<sup>st</sup> 2018; he apprised it then said the agreement may be extended for up to four additional terms to generally coincide with the dates referenced here and for summer 2019, 2020, 2021 and 2022 upon mutual agreement of the parties and with the concurrence of the Superintendent of Public Works. He further explained this was a 2018 contract with a built in clause that indicated on mutual agreement from all the parties it could continue from year to year. He informed he had emailed the representatives of Adirondack Safari to ensure they were aware this clause was included in the contract which he attached a copy of and notified them the County would not be terminating the contract for this year because there was no need to do so as a result of the pandemic. He added he also ensured they were aware the County would be putting out an RFP (*Request for Proposal*) to determine if there was any interest in using the County Fairgrounds for recreational purposes that included, but were not limited to “Glamping” and he read aloud what he had stated in his email to them regarding this which he hoped they would submit a response to.

Mr. Moore advised the Deficit Reduction Program which had been discussed over the past several months had been included on the agenda for the September 3<sup>rd</sup> Finance Committee meeting, but due to issues that were out of his control he did not have a sufficient amount of time to provide a copy to the Committee to allow for meaningful time to review and digest what was included in it so he decided to hold off on presenting it and it would be brought before the Committee at their upcoming meeting on October 1<sup>st</sup>. He said he would be doing one final review of the Program this afternoon with Tammie DeLorenzo, *Assistant to the County Administrator*, with the intention of distributing it to the full Board immediately following this review. He informed he and his staff had started working on this in April, with each department participating in the process and he noted the Program included reductions for twenty-nine of them. He apprised a significant amount of savings that had been realized was a result of the hiring freeze, as well as core activities that were ceased, postponed or reconfigured and provided in a different manner, such as the Meals on Wheels Programs, whose meal deliveries were reduced from five days to three due to the pandemic, all of which was reflected in these figures and he encouraged anyone with questions to contact him. He informed the full amount of the Deficit Reduction Program was approximately \$4 million and what they would be requesting of the Finance Committee was to transfer those appropriations out of the Budget Codes into a special Contingency Account with the idea that these funds would not be accessed so that when the books were closed out for 2019 that expense authority would be there, but the \$4 million would not have been spent and these funds would be transferred into the Unappropriated Surplus Fund Balance which would be lacking revenue as previously mentioned by the County Treasurer. He remarked it was his hope the combined effort of all of this assisted the County in overcoming the economic turmoil that had occurred this year. He mentioned first and foremost no reductions had been made to the Aquatic Invasive Species Program and no cuts were made to the funding provided to the various parks located in the City of Glens Falls and other municipalities, as the State forwarded their financial issues on to the County, but the County would not be doing the same to its localities. He stated the Board of Elections saved about \$35,000 because of the delay with the April Primary election, about \$150,000 was saved on the County's property and casualty insurance premium as a result of the RFP that was released last year, the cancelling of the 4-H summer camp saved the County \$25,000 and \$367,500 would be saved as a result of a proposed Resolution before them today which represented the Occupancy Tax Spending Plan being suspended for 2020. He added the cancellation of various events that were sponsored by occupancy

tax had also resulted in about \$200,000 in savings which was in addition to the savings as a result of the reduction in the occupancy tax contributions made to the Lake George Convention Visitors Bureau and the Glens Falls Civic Center which equated to \$160,500 for this year. He mentioned the County Attorney's Office was going to save \$40,000 in legal and transcript fees and there was significant vacancy savings for CHHA (*Certified Home Health Agency*) in the Health Services Budget, as well as substantial vacancy savings within the Department of Public Works Budget, most notable of which was within the Engineering Division who had been working with the bare minimum staff all year, nor did they immediately replace Jeffrey Woodell, who previously worked for the Buildings and Grounds Department before he was appointed as the Director of Weights and Measures and was doing a phenomenal job. He advised there was significant vacancy savings within the Department of Social Services which equated to \$500,000, but only a portion of this savings related to the County since the positions were mostly funded through the Federal and State Governments. He stated another source of savings was the deferral of \$100,000 in equipment purchases for the Department of Public Works, as well as the delay of the exterior LED lighting Project for the Sheriff's Office which equated to \$35,000 in savings, and additional savings were realized as a result of Correction Officer vacancies. In regard to when the Federal Government made the Medicaid savings apply down to the Counties, as well as the State, he advised initially there was some thought that the State would keep all of the savings for themselves; however, he noted an effort lead by Senator Schumer ensured that the Counties realized their portion of the savings, as well which amounted to \$700,000 this year for the County. He apprised on top of all that he was including in this Deficit Reduction Program portions of the appropriation for PINS (*Person In Need of Supervision*) diversions, as well as specialized OCFS Training Schools that was part of the Juvenile Justice System where he believed some savings would be realized. He said within the Department of Social Services by crunching their operation they were able to save \$250,000 on top of which the State cost the County an additional \$900,000 through the reduction of State aid and changing the rules on reimbursements for certain programs resulting in the County having to reimburse providers for services that they never provided. He said essentially what this meant was the State decided to make providers whole using County funding, adding this would be discussed in more detail at the September 21<sup>st</sup> Human Services Committee meeting. He indicated in addition to the impact from the reduction in the local economy, the County was financially impacted to the tune of \$1 million from various actions by the State involving the Department of Social Services so the hope was to be able to recoup \$900,000 from the reductions made to PINS Diversion and the other Juvenile Justice piece. He advised the Tourism Department had reduced expenses concerning the Travel Guide in the amount of \$40,000 and they reduced the purchasing of advertisements by \$500,000, as well as an additional cut back of \$163,000 on the contract with Working Pictures, social media influencers, photography and web development for a total of around a \$700,000 reduction within the departmental budget which was double the amount of the reduction to the Occupancy Tax Spending Plan and triple the amount of the reduction to special events funding which he equated to the substantial efforts of the Tourism Department staff and he acknowledged Joanne Conley, *Director of Tourism*, Leisa Grant, *Senior Account Clerk*, and the other departmental staff for making so many sacrifices this year while still managing to shepard the County through and have a strong summer season. He informed this action would have to be handled through separate resolution to propose to liquidate the Unappropriated Surplus Fund Balance assignment for project assessments that the County included in this years budget, as well as proposing to liquidate the Unappropriated Surplus Fund Balance assignment for SUNY Adirondack operations resulting in an additional \$300,000 to the impact the County would realize from the pandemic this year. He remarked it was unfortunate this had to be done because there was a specific purpose in mind for those monies; however, he noted, the situation had changed and that would be proposed at the Finance Committee meeting. He mentioned in addition to that what was not included in this Program, but was a result of the work of the Treasurer's Office in the amount of \$256,000 in savings on Debt Service as a result of refinancing bonds. He indicated he believed the outcome for the County this year would be favorable as a result of all these reductions; however, he noted, this did not

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take into account any of the reductions in State aid which could equate to around \$3.5 million which would continue on into future years that the County would be unable to sustain.

Supervisor Dickinson apprised his cell phone service which was typically stellar had suffered during this pandemic due to the increased usage. He stated he hoped the data available would be used to improve the cell phone service in the region.

Privilege of the floor was extended to Mary Elizabeth Kissane, *County Attorney*, to provide a report from the County Attorney. Ms. Kissane advised the first thing she would like to discuss was proposed Resolution No. 326, *Authorizing an Agreement with the Queensbury Union Free School District for the Warren County Sheriff's Office to Provide Law Enforcement Services Within the Queensbury School District*, which pertained to a contract with the Queensbury Union Free School District for Law Enforcement Services within the School District. She said the current amount included in the contract was for \$67,000; however, she noted, following a discussion with the Sheriff it was determined the correct amount was \$87,000 so at the appropriate time if the Board so chooses she would request that a motion be made to amend the proposed Resolution. She mentioned the bid opening date would be changed via a Clerk's correction on proposed Resolution Nos. 343-346 to Thursday, September 24<sup>th</sup> at 3:00 p.m.

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

Reports from:

1. Warren County Probation Department - Reports of Criminal and Family Workloads for the month of July 2020;
2. Albany Medical Center - 2019 Annual Report.

Other:

1. Capital District Regional Off Track Betting Corp. - 2019 Regular Benefit Distribution Payment #3 in the amount of \$2,101;
2. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 5 in the amount of \$656;
3. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 6 in the amount of \$656;
4. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 7 in the amount of \$656;
5. Capital District Regional Off Track Betting Corp. - February-June 2020 Surcharge payment 8 in the amount of \$659;
6. Capital District Regional Off Track Betting Corp. - July 2020 Surcharge payment in the amount of \$3,597;
7. Washington County - Resolution No. 198 of 2020, *To Approve the Lake Champlain Lake George Regional Planning Board 2021 Budget*;
8. Washington County - Resolution No. 199 of 2020, *To Adopt Adirondack Community College Budget*.

Continuing to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 306-362 as well as two Certificates of Appointment were mailed; she advised there was one floor resolution to be addressed that was labeled as proposed Floor Resolution No. 1 and was distributed to the members of the Board of Supervisors on September 15<sup>th</sup> which met the deadline specified in the Rules of the Board. She said in order to entertain this matter a motion and a simple majority vote was required to bring it to the floor. The necessary motion was made by Supervisor Simpson, seconded by Supervisor Merlino

and carried unanimously to bring proposed Floor Resolution No. 1 to the floor.

Supervisor Seeber stated she had attempted to obtain additional information regarding proposed Floor Resolution No. 1 and this morning she had spoken with Mr. Hajos regarding same. She remarked while she was not by any means an expert negotiator she believed \$1,000 was not a sufficient fee and the County should consider advocating for more than that. She added she was not being critical of the negotiation process, but she would like to inquire whether it was a possibility to request more than \$1,000 for the use of this portion of the County Railroad tracks.

Supervisor Braymer requested Mr. Hajos provide them with an update on this matter, as she believed this had already been discussed with the Committee. Mr. Hajos stated Revolution Rail Company had initiated the contract with the County for the use of three different sections of the County Railroad tracks, one of which was in North Creek traveling down to just before the Riparius Station, the next one was from the Stony Creek Ranch to the Thurman Station and the last one encompassed the southern portion of the track; however, he noted, when the pandemic occurred they took a step back from their original request and indicated they only wanted to use the portion of the track from North Creek to the Riparius Station. He said at this time they had contacted Supervisors Geraghty and Merlino to request the use of the southern portion of the County Railroad tracks in the Hadley Luzerne area for the fall foliage. He stated he had a discussion the other day regarding whether there were any concerns in that area, but there were none because the track was clear there. He mentioned the original contract for all three areas of the County Railroad tracks was for \$35,000; however, he noted, since then this had been reduced to \$20,000 since they would only be using four buildings at the North Creek Station, as well as about eight miles of track. He said the section they wanted to use in the Hadley Luzerne area was around 4.8 miles of track which they had offered to pay \$1,000 for the use of this additional track. He remarked he would be more than willing to return to them and request more money if that was the desire of the Board.

Supervisor Wild inquired whether the request was only for this year and Mr. Hajos replied affirmatively. Supervisor Wild apprised his sense was this was a business that was expanding by starting a new route and if the County could entice them to do so by charging them a moderate fee he felt they should so that this would open it up for better negotiations next year. He pointed out most individuals would only partake in the excursion offered by Revolution Rail Company once or twice in their lifetime, but by expanding it to a different section of the railroad it would attract customers to return and go on the new route. He concluded by stating he was in favor of doing whatever was necessary to support the local businesses.

Supervisor Geraghty informed he had met with them, apprising he felt if they kept it to a minimum fee for a few runs during the month of October because he was doubtful they would continue on past then it would open up the southern portion of the County Railroad to more business next year. He stated he had also discussed the section from Stony Creek to Thousand Acres Ranch because the Ranch was under new management. He remarked he believed allowing them to use the southern portion of the County Railroad would be beneficial to Revolution Rail Company's business, as well as the County; he added he did not take into consideration the miles of track they were using now when he suggested they pay the County \$1,000 for the use of the southern portion of the County Railroad until their operations concluded later this year and then a new amount could be negotiated for next year.

Mr. Hajos advised the contract was reduced this year, but he believed going into next year Revolution Rail Company still had a desire to use the three sections they had wanted to use this year which included the southern portion of the railroad tracks. He mentioned before the contract was reduced this year it was for \$30,000, \$35,000 for next year and he believed the following year it was for \$40,000.

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He said this meant if they were agreeable to renew it for next year the County would net \$35,000 in revenue.

Supervisor Magowan stated the County had provided Revolution Rail Company with a reduced rate due to the late start, the uncertainty of when they could begin operating and their scaled back operation as a result of the pandemic; however, he noted, it was a catch 22 because he was aware their business had done well over the summer season. He apprised he felt \$1,000 was a fair price since they would only be using that portion of the County Railroad for about a month and then a new fee could be negotiated based on how successful they were.

Supervisor Merlino apprised Revolution Rail Company would only be using that portion of the County Railroad for four weekends, as they would not be operating there during the week. He added there expenses would also be increasing as a result of the additional advertising required to attract individuals and moving their equipment. He said he was in favor of the \$1,000 fee for this year and then they could negotiate with them based on the number of riders on that route.

Supervisor Diamond voiced his concern with the \$1,000 fee, as he felt this was an opportunity to return to them and try and negotiate a better deal. He said he thought they were setting a precedence by providing them with such a low fee and he would like to attempt to renegotiate a better deal for the County.

Supervisor Hogan advised she was fully supportive of amending the licensing agreement with Revolution Rail Company to allow them to use the southern portion of the County Railroad tracks for a fee of \$1,000. She stated the customers of Revolution Rail Company traveled to the region and patronized local businesses and restaurants, apprising she felt this was economic development outside of the areas of the County the Board typically focused on. She added allowing them to start operating there now so they could work out any issues there may be this year, as the point was to make them feel welcome and returning to them in an attempt to negotiate a higher fee would cause an unnecessary delay since their season was only for another month and a half. She restated she was fully supportive of moving forward with the amended agreement for \$1,000.

Supervisor Conover stated he was fully supportive of moving forward with the agreement as presented, as he liked a company that was willing to prospect on an activity like this. He advised he would like to return to a point he had made during the previous contract negotiations which pertained to the County having access to audited financial statements from this company exactly as they did at the Airport so the County could be in the proper position to represent the public interest relative to this Corridor and this line. He said it did not necessarily have to occur today, but going forward he would strongly recommend the County incorporate audited financial statements into their annual filings so the County was aware of what they were dealing with and unless and until this was provided the County would remain out of the loop.

Supervisor Leggett remarked he concurred with Supervisor Hogan's remarks; he added he felt Supervisor Conover's suggestion was a good one, as well.

Supervisor Beaty apprised he believed Supervisor Conover was making an excellent point, as it was vital to have all of the figures available to himself and Supervisor McDevitt and former Queensbury At-Large Supervisor Sokol when they negotiated on behalf of the County with the Airport FBO (*Fixed Based Operator*). He said if they had not been able to obtain this information the County would never have been able to obtain a larger share of the airplane fuel sales made there, as they had been able to successfully negotiate an increase from \$.07 to \$.21. He informed Supervisor Conover was correct to

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state that the audited financial statements were crucial to negotiations and he hoped the County would be provided with them shortly so the County was in a better place to negotiate.

Supervisor Braymer stated she was fully supportive of proposed Floor Resolution No. 1, adding while she was the one who would typically advocate for negotiating a better deal for the County in this situation she believed because this was for a short period of time and it was an unprecedented time for local businesses she felt supporting them in this manner was imperative. She pointed out they needed to take into consideration that there had been other events the County had paid a substantial amount to even though they were cancelled even if occupancy was used to fund them. She remarked she felt they needed to support this business entity in their pursuit of further recreational opportunities on the County Railroad; she added they were bringing in additional sales tax revenue as mentioned by Supervisor Hogan. She mentioned she was supportive of audited financial statements being provided, but she was wondering if it was already included in the contract since this had been previously discussed and if not she felt the contract should be amended to include them. Mr. Hajos advised he did not believe the audited statements were included in the contract.

Supervisor Seeber apprised this type of discussion would always occur when matters were brought up at the last minute. In response to those who mentioned the southern route would only be operating on the weekends, Supervisor Seeber read aloud an exert from Revolution Rail Company's website which was readily available to everyone that indicated while the south run was not open yet they anticipated offering trips daily at 9:00 a.m., 11:00 a.m., 1:00 p.m., 3:00 p.m. and 5:00 p.m. She pointed out the average cost of a ride was \$180 for a quad bike so even if only one individual was in each one of those spots they were looking at earning \$900 a day and yet the County was only charging them \$1,000. She said the time they had invested into this with paid County staff, such as lawyers reviewing negotiations and contracts, had far exceeded the \$1,000. She informed she was seeking some form of a compromise as they considered allowing them to use an additional 4.5 miles of railroad track and she suggested charging them a fee of \$4,500, as she did not believe this was unfair given the revenue potential. She advised she was fully supportive of businesses that would continue to bring in not only that type of education and awareness efforts of the County; she added they had cut \$200 from a supply line during a budget review because they did not use the money and yet here was an opportunity to gain additional revenue on something that was more then a few runs before the end of October. She stated she also recalled the conversation they had at the beginning of the year with this company where the County was requesting ridership information, but she was unsure if that was on file or had been reviewed; however, she was hopeful they would take note of this discussion as they moved into next year and were seeking a contract.

Supervisor Wild inquired if they could discuss other resolutions and Chairman Conover responded they would be able to as soon as the discussion regarding proposed Floor Resolution No. 1 was finished.

Supervisor Simpson remarked from his perspective it was not that it was a bad business or something they could not support, but rather what it came down to was the accountability to those who owned the County Railroad which was the regions taxpayers. He said they needed to consider whether they were developing the right contract and benefit to all of the towns that were represented, as well as the County taxpayers. He stated the County had entered into many contracts which sounded favorable, but then others who may be interested in using the County Railroad were closed out because of the contract with Revolution Rail Company, who had grown their business; he added he thought there should be a balance with all of those variables and they should be accountable for that since they represented the County taxpayers who were the ones owned the line.

Supervisor Hogan stated she would like to make a point of clarification that the south run that

Supervisor Seeber had referred to was the North Creek route, as Revolution Rail Company was not advertising anything in Lake Luzerne. Supervisor Seeber asked why the south run was not yet open and Supervisor Hogan replied it was open. Supervisor Seeber pointed out according to their website the south run was yet to be opened. Supervisor Hogan advised what she was viewing displayed booking for that particular route. Supervisor Seeber apprised it stated under the daily schedule it indicated the North Bridge was open an offering runs at 10:00 a.m., 12:00 p.m., 2:00 p.m., 4:00 p.m. and 8:00 p.m.

Supervisor Conover apprised he did not believe attempting to extract additional money from this company was being questioned. He said he could remember the exact time when this was brought up under contract negotiations and things got lost with the two and from of these negotiations; however, he apprised, he believed at some point the County would find itself in a position where they needed access to good information relative to the activities on the County Railroad to allow them to make an informed decisions going forward. He mentioned he did not believe requiring audited financial statements was included in the motion that originally approved Revolution Rail Company's use of the County Railroad; however, he noted, because it was an annual contact they could ask that these statements be included going forward which he would strongly recommend or they would be having this same discussion next year not only about the Luzerne portion of the County Railroad, but also the northern portion and what was the County's fair share relative to this. He remarked he hoped their business on the southern portion of the County Railroad was as much of a success as it was for their northern route; he apprised he was fully supportive of moving forward with proposed Floor Resolution No. 1 as presented, as he did not believe they should be concerned with obtaining a few thousand dollars more, but rather that their business as a whole was a success and they were attracting visitors to the entire region.

Supervisor Braymer voiced her concern that the County did not have access to annual ridership data and audited financial statements and it was her desire to amend proposed Floor Resolution No. 1 to include that Revolution Railroad Company provide this information to the County.

Chairman Conover asked if anyone would like to make a motion to amend proposed Floor Resolution No. 1 which was now referred to as proposed Resolution No. 363 of 2020 to include annual ridership data and audited financial statements; the necessary motion was made by Supervisor Braymer and seconded by Supervisor Seeber.

Supervisor McDevitt inquired what would occur if Revolution Rail Company did not have audited financial statements available before this season was over. Supervisor Braymer replied her intent going forward was for them to provide the County with copies of their audited financial statements following the closing of their fiscal year. Mr. Moore asked whether the motion was to request that they provide the County with audited financials under the current contract and Supervisor Braymer replied affirmatively, adding if they were not agreeable to this then they would not be able to use the southern portion of the County Railroad this year. Supervisor Wild pointed out there were alternative options to handling this, such as a pro ridership fee which would be easier to keep track of. He stated it was necessary for them to keep an open mind in regard to how they handled this because the audits would be costly which was why he believed they should move forward with the proposed Resolution as presented and then discuss the auditing aspect next year.

Chairman Conover called the question and the motion to amend proposed Resolution No. 363 as outlined above was carried by majority vote, with Supervisors Leggett and Hogan voting in opposition.

Supervisor Merlino mentioned Revolution Rail Company would be offering a ride for all of the Supervisors who wished to partake a few days before they started their southern route. He added he

would notify them of the time and date for this ride a few days before it would occur.

Chairman Thomas called for discussion and public comment on the proposed resolutions, as well as requests for roll call votes and he asked Mr. Lehman if there were any public comments at this time and Mr. Lehman replied in the negative.

Supervisor Wild apprised he would like to discuss proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services*, which was discussed during the Occupancy Tax Coordination Committee meeting. He said this was approved as a means to reserve some funding for upcoming years by eliminating the supplemental payments to the towns. He remarked he felt tabling the proposed Resolution today would be a disservice to the Supervisors who participated in the discussion, as well as to the County residents because occupancy tax funds were not town or County money; he added every department was required to make cuts to their budgets and yet by tabling this they would not be making any cuts to the unaudited and unreviewed occupancy tax funding that was provided to the municipalities located in the County. He pointed out 25% of the proceeds from occupancy tax collections were allocated to these municipalities, the majority of which went to the Towns of Bolton, Lake George and Queensbury, as well as the Village of Lake George totaling \$1 million. He remarked he felt it was appropriate for the supplemental funding to be eliminated this year for these municipalities and he felt it was necessary for them to understand this was a “cookie jar” fund as described by one of the members of the Occupancy Tax Coordination Committee and it was necessary for the Board to get a better handle on what these funds were being allocated to, the return on investment for these funds and how the County could grow its tourism economy beyond the summer season.

Supervisor Dickinson stated he was hesitant to comment on Supervisor Wild’s diatribe; however, he noted, the Town of Lake George and the Village of Lake George combined generated 50% of the occupancy tax revenue for the County and they funded twenty events with the combined money they received, many of which were long-term ones. He said another Occupancy Tax Coordination Committee was scheduled for September 28<sup>th</sup> where he would like the opportunity to review the figures before they rendered a decision regarding the elimination of this funding which was why he would like to table proposed Resolution No. 321.

Motion was made by Supervisor Dickinson and seconded by Supervisor Strough to table proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services*, until next month.

Supervisor Seeber called for a point of order, as she had an objection to the consideration of this question based on the fact that this was a common violation of a fair procedure. She explained what the motion to table actually did was in fact not in order because it would permit to be suppressed by majority vote which could only be done by a two thirds majority vote. Furthermore, she apprised to lay a motion on the table or as stated tabling this motion refers to temporarily setting aside a pending motion or a series of pending motions to take care of something else deemed urgent. She informed this was less about the business being discussed and more about assembling a meeting to handle something

immediately.

Supervisor Conover advised the motion was properly made, the individual who made the motion had the floor, the motion was properly seconded and did not have to be recognized by the Chairman. He stated the issue that was being brought up was not an issue because there was not a question that it would not be voted on, but rather a question of when so it was not as stated. He informed it was a proper motion to table and all discussion should end per Robert's Rules of Order.

Supervisor Seeber indicated she believed this decision could be made solely by the Chairman of the Board or by a majority vote of the Board on whether the point of order was permissible which of course they could request a vote to determine whether the point of order was applicable. She advised she was submitting that the motion to table not too limit debate, as this was not the purpose of a tabling or to lay on the table so as previously stated the Board had spent a significant amount of time on this topic and her point was the motion to table was out of order. Chairman Conover interjected that he had Robert's Rules of Order in front of him and what was indicated in there was the motion to table was carried by a simple majority vote, the person making the motion had to have the floor, which Supervisor Dickinson did, the second was made by Supervisor Strough and it was something that would be dealt with at a future date; therefore, he said, the objection was groundless and all discussion should end on the motion to table.

Chairman Thomas ruled the motion was in order and he requested that Mrs. Allen conduct a roll call vote on the motion to table proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services*. Following the roll call vote it was determined the motion to table failed with a vote of 353 in favor (*Supervisors Leggett, Bruno, Driscoll, Simpson, Hogan, Dickinson Strough and Conover*) and 647 against (*Supervisors Diamond, McDevitt, Braymer, Frasier, Merlino, Wild, Magowan, Seeber, Beaty, Shepler, Geraghty and Thomas*).

In regard to proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services*, Supervisor Conover apprised the Budget Officer had indicated at the Occupancy Tax Coordination Committee meeting that they were in a dire situation with occupancy tax at which time he had indicated the Town of Bolton, as well as the other towns were prepared to do their fair share. He said he had taken the time to review the numbers in an attempt to understand the issue that was being made with the projection that was used of \$3 million in occupancy tax collected for the entire year. He said if this was the actual amount of occupancy tax that was collected in 2020 then dramatic action was required; however, he noted, they needed to consider if this projection was off, as the loss of revenue between January and June of this year was \$350,000 and this scenario was indicating between July 1<sup>st</sup> and the end of the year the County would lose another \$1.7 million in occupancy tax revenue. He said there was no need to argue this point because they would know in a few weeks whether this was actually the case and he questioned why there was such a rush to push this through. He added by approving proposed Resolution No. 321 they were effectively tearing up and/or voiding the contracts the County had with those municipalities which was not something he believed had ever occurred. He advised if they held off for a month or so on this they would be more aware of the status of occupancy tax collections for the year

and then they could determine whether the contracts with these municipalities needed to be reduced and/or terminated, but currently there was a lot of uncertainty surrounding this. He voiced if it was determined there was no reduction in the amount of occupancy tax collected he would be reintroducing the supplemental payment for the Town of Bolton; however, he noted, if there were towns that would like to be excluded from these supplemental payments then they could contact Mr. Moore and they could be excluded from this action. He noted when these supplemental payments were adopted by the Board it was done so on a unanimous vote with a package that included the City of Glens Falls and at that time they did not shut out the City, as the Board was fully supportive of providing financial support to the Cool Insurance Arena. He continued, apprising he found it curious that at this moment so many years later some of the representatives of the City of Glens Falls were choosing to turn their backs on the towns. He restated that they could anticipate that the supplemental payments to the towns would be reintroduced.

Supervisor Braymer stated she disagreed with Supervisor Wild's insinuation that the towns were not doing a good job keeping tabs on this money, apprising this was not why she was supporting proposed Resolution No. 321, but rather because the County was dealing with a dire financial issue during an unprecedented time. She voiced that she would like to see the proposed Resolution adopted, adding she did not believe the supplemental payments to the towns would be permanently terminated, as they could bring forward a new funding package if it was determined later in the year occupancy tax collections were better than anticipated, but at this time she felt it was appropriate to move forward with the proposed Resolution.

Supervisor Hogan inquired whether discussion on proposed Resolution No. 321 had concluded and Chairman Thomas replied affirmatively. Chairman Thomas apprised it was discussed before the motion to table and then it was discussed following the motion to table and again after that motion failed, adding he felt there had been a sufficient amount of discussion on this matter. Supervisor Hogan pointed out every Supervisor had not been provided with the opportunity to weigh in equally on the matter.

Supervisor Seeber remarked she once again was requesting a point of order, as she said this with a little hesitancy and while she and Supervisor Hogan disagree on the discussion regarding what the tabling discussion was about, it was her understanding to limit discussion and debate there would be a vote on if there were still individuals who would like to be heard. She added this just supported that a training on Robert's Rules of Order, which she had brought up at every month's Board Meetings, was needed. Chairman Thomas responded that he believed he was within his rights as Chairman of the Board to end the discussion which he did. He advised if it was the Board's desire to allow further debate on proposed Resolution No. 321 than that was the prerogative of the Board.

A motion was made by supervisor Seeber, seconded by Supervisor Braymer and carried unanimously to continue discussion on proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services.*

Supervisor Hogan advised she had one simple question, stating she had enjoyed the fiery rhetoric when talking about New York State withholding payments to the County and she was supportive of Supervisor Dickinson's efforts to table proposed Resolution No. 321 because she thought it needed more consideration and more financial data was required. She questioned how adopting it today was any different than New York State withholding funding from the County even though it was smaller amounts

and different entities, they were doing the same thing to the towns that they were accusing the State of doing to them. Mr. Moore responded this was because the State did not provide the County with a seat at the table with the ability to debate it, as they just took action without the County having any say. Supervisor Hogan interjected she was questioning the Board's ability to debate this action.

Supervisor Leggett apprised the payments they were looking to eliminate pertained to a supplemental distribution and he asked for clarification purposes when these payments were typically made to the towns and Supervisor Dickinson replied when the funds were available. Chairman Thomas advised the County Treasurer or County Attorney should know when these payments were typically made. Supervisor Leggett inquired whether these allocations were typically made in October and Mr. Swan replied in the negative. Mr. Swan stated these payments were usually made during the first quarter of the year, explaining the \$30,000 distribution was done in the fall as an advance and then the supplemental payments were made during the spring. Supervisor Leggett advised in light of this it appeared there would be a sufficient amount of time to determine how much occupancy tax was collected this year to allow them to make a more informed decision on what cuts were required.

Supervisor Conover remarked Supervisor Leggett had hit the nail right on the head and he questioned what would have been the harm to wait an additional thirty or sixty days before any decisions were made. He said apparently the County could tear up its contract with the Towns of Chester, Johnsbury or Queensbury at any given time which was why he could not understand why they could not hold off for another month or so when more information was available to allow them to make an informed decision; he added everyone would be supportive of making the necessary cuts if the actual amount of occupancy tax revenue collected was only \$3 million. He apprised Supervisor Dickinson's solution was well thought out, fair and went to the point of aiding the Board in their decision making going forward; however, he noted, some members of the Board were not interested in that, as they were only interested in terminating the contracts. He apprised these supplemental payments would be reintroduced and he was hopeful the representatives of the City of Glens Falls, who had been supported by the Board in their efforts to obtain funding for the Cool Insuring Arena even while they were closed during the pandemic, would not turn their backs on the towns.

Supervisor Wild commented the reason these payments had been cancelled was because it was part of the austerity budget which Mr. Moore had discussed earlier. He stated occupancy tax funding was supposed to be used to fund events and promotion and several events had cancelled this year that the County should not have paid for which was why he felt the towns should forgo these payments this year and then revisit the matter next year; he added the County had not paid for all of the events it awarded funding to this year.

Supervisor Geraghty stated it had been brought to his attention that there was an insufficient amount of occupancy tax funds available, apprising the towns had not even received their 25% share yet. He stated because of this he was asked to bring forth the proposal to the Occupancy Tax Coordination Committee because there was insufficient funding available to make the supplemental payments now. He said all of the towns had received their regular payments, adding none of the towns would be left destitute by cutting \$400,000 in payments this year. He informed following his explanation the Committee had voted in favor of moving forward with eliminating the supplemental payments to the towns and he had all of the reports from 2019 available for anyone who would like to review them. He pointed out there were communities who had \$253,000 of occupancy tax funding set aside while there were other communities with no money, all of which was detailed in the reports. He remarked this was about doing the right thing and if the funds were available in 2021 he was not opposed to revisiting restoring the supplemental payments. He informed every town was taking a hit with this action, but the Committee had voted in favor of moving forward with the proposed Resolution No. 321, *Amending*

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*Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services,* adding the Board had voted against tabling it. He stated if Supervisor Conover was unhappy with the outcome he should bring the matter up at another time, restating he was asked to present this to the Committee nor had he included these payments in the proposed 2021 County Budget, as he refused to budget for money they would not be collecting. He concluded by advising that if it was Supervisor Conover's desire to be the County Budget Officer then he should make that request to Chairman Thomas; however, he noted, he was tired of hearing this because he did what was requested of him and the Committee had concurred with him.

Supervisor Beaty remarked making threats to other Supervisors or the residents was not the appropriate way to get anything accomplished, apprising the proper way was for all of them to work together. He advised Supervisor Geraghty had done an excellent job with the assignment that was given to him as the Chair of the Budget Committee. He informed the Occupancy Tax Coordination Committee had voted in favor of moving forward with proposed Resolution No. 321, *321, Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services,* which they would be voting on today regardless of Supervisor Conover's diatribe today that had no impact on the facts. He apprised he felt they should move forward with voting on the proposed Resolution so they could determine the outcome, adding they could always revisit restoring these payments in the future.

Supervisor Seeber stated she was appreciative of the opportunity for debate which she believed was in fact healthy. She reminded the Board Members in January they had held an Occupancy Tax Coordination Committee meeting where they had debated including the 2019 funding in the 2020 County Budget because it was not done in 2019. She said at that meeting Supervisor Dickinson had mentioned this year there would be discussion and debate regarding changing the process and that progression had started. She indicated she believed the Budget Officer had a difficult task before him which brought grief, as well. She remarked she was fully supportive of proposed Resolution No. 321, as presented, adding a substantial amount of time had been spent discussing it at Committee. She apprised she was pleased they had begun discussing some issues that may have felt personal to some communities, as well as those who owned the hotels, who were the ones who collected the funds.

Supervisor Conover informed he was not personalizing anything, as it had been stated at the Committee meeting that if the revenue was present they could revisit this issue. He advised his point was that they would not know for another month or two whether this was the case and those with tourism economies felt the summer season had been a success and in fact they had just received a report that indicated they may have finish ahead of last summer in terms of the amount of occupancy tax collected, but he was unsure and did not feel this point needed to be debated. He stated his purpose was to note they would have a better idea regarding occupancy tax collections in a month. In regard to cash flow, he advised this was different then budgeted amounts and between January and June of each year the County only collected about \$850,000 with the primary amount being collected toward the latter part of the year which was the point he was making, as he was bringing information to them about how the program worked and where it was budgeted. He informed if they collected \$4 million this year instead of \$5 million the Occupancy Tax Fund Balance would be \$1.4 million in addition to the \$1 million provided by the County Treasurer and if what they were saying was true and they would reinstate the

funding if the figures came in at an appropriate level than he was comfortable with that, but he felt this was a longhand way of handling this. He advised the motion was seeking to shorthand that by tabling this until they had the information in front of them to make an informed decision; however, he noted, if they wanted to handle it the longhand way then so be it.

Supervisor Dickinson stated he would like to note that occupancy tax funds were not County or town money, but rather businesses were collecting the funding to be funneled through the County. He advised these businesses collected the funds for the purpose of spending it on advertising and promotion.

In regard to proposed Resolution No. 350, *Authorizing the County Treasurer to Write off Uncollected State/Federal Receivables from Capital Projects*, Supervisor Braymer inquired whether there was any further action they could take to collect these funds and Mr. Swan replied in the negative. Supervisor Braymer discussed proposed Resolution No. 358, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Department of Public Works Budget; Amending 2020 Warren County Budget*, and she asked if there was any funding available within a Capital Reserve Fund for the purpose of planning projects such as this rather than using the General Fund Unappropriated Surplus and Mr. Moore replied in the negative. He explained that \$150,000 represented what they had planned for last year in addition to this year which was the full balance of the *Assigned Fund Balance, Project Assessments* Budget Code. Supervisor Braymer asked for clarification that Mr. Moore was indicating these funds had been appropriated elsewhere and Mr. Moore responded in the negative, explaining what was going to be proposed was for these funds to be included in the Deficit Reduction Program and reverted back into the Unappropriated Surplus Fund Balance. Chairman Thomas further explained in essence it was the same thing.

Supervisor Hogan asked for clarification as to which proposed Resolution was previously referred to as Floor Resolution No. 1 and Chairman Thomas replied this was now referred to as proposed Resolution No. 363, *Amending License Agreement with Revolution Rail Company for Use of County Owned Railroad Tracks, to Include Portion Use of the Southern Portion and Increase Amount Owed in 2020*. Supervisor Hogan inquired what the amendment encompassed and Chairman Thomas responded the amendment required that Revolution Rail Company provide the County with an accounting an audited financial statements of their activities for their operation this year. Supervisor Hogan questioned what would occur if they were unable to provide these audited statements this year; Chairman Thomas responded his understanding was the County would negotiate this with them and if they were unable to provide them they could negotiate on another way to provide these figures. Supervisor Hogan asked for clarification if this meant the County would still move forward with the amended contract with them even if they were unable to provide the County with the audited financial statements, as she was concerned it could be very costly for them to provide them. Chairman Thomas replied he was unsure what would occur if they were not agreeable to adding this to the contract and he referred the matter to Ms. Kissane for an explanation. Ms. Kissane advised in order to amend the contract this year both parties would have to sign the amended contract and if they were not agreeable to the amendment she was unsure of how the County could force them to so do, as the County had signed the contract a few months ago at which point the County could be viewed as breaching the contract. Mr. Moore interjected the point he had made earlier was if Revolution Rail Company did not want to provide the County with audited financials then they had the right to continue under the current contract; however, he noted, they would not be able to operate on the southern portion of the County Railroad which was what was being proposed today. He apprised what the motion had stated was to add a resolved paragraph to proposed Resolution No. 363 which indicated that this particular addition to the contract was also contingent upon something being included in the contract regarding audited financial statements. Supervisor Hogan questioned whether the County was seeking audited financial statements for this year or going forward and Mr. Moore replied if Revolution Rail Company wanted to move forward with

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operating on the southern portion of the County Railroad they would have to provide audited financial statements of this years activities. Supervisor Dickinson apprised someone had asked that question during the discussion on this and the response was that audited financial statements would be applicable to the contract next year and Supervisor Leggett concurred.

Supervisor Leggett stated this was the difficulty with amending resolutions from the floor during the Board Meeting, as it caused confusion. He said even though there was good intent behind the amendment to the original proposed resolution it was untimely and should have been handled by the Committee and not during the Board Meeting because it created confusion in the process and he would like all Supervisors to take this into account when they were considering proposing changes to a resolution from the floor.

Supervisor Wild advised he felt there was too much confusion concerning the amendment to proposed Resolution No. 363, *Amending License Agreement with Revolution Rail Company for Use of County Owned Railroad Tracks, to Include Portion Use of the Southern Portion and Increase Amount Owed in 2020*, and he would like to make a motion to withdraw the amendment which required Revolution Rail Company to provide audited financial statements and a ridership report for 2020. He said moving forward they could discuss what type of reasonable request they would like to make during next years contract negotiations with Revolution Rail Company, as he did not believe they should hold up the contract for them to use the southern portion of the County Railroad any longer. Supervisor Dickinson seconded motion to withdraw the amendment to proposed Resolution No. 363.

Supervisor Braymer informed she had made an amendment from the floor which she recognized was a tad confusing; however, she noted, this was a floor resolution that did not go through the Committee process so she did not have the opportunity to comment on it previously nor did they hear anyone else's concerns regarding their desire for more data and information. She said she would still like to see them collect the ridership data from 2020, as she did not believe this would be overly burdensome for them. She added she understood they may not be able to provide the the financial data, but she was not expecting them to provide that data for 2020 until they had access to it which might not be until 2021. She stated in the interest of clarity she would support withdrawing the amendment, but she would be advocating for it going forward because she believed it was needed.

Ms. Kissane advised the ridership report was required under the contract with Revolution Rail Company well before the November Board Meeting so that information would be provided under this contract.

Supervisor Seeber stated this type of discussion occurred when action came off of the floor which she felt they owed to the County taxpayers. She said she could debate how to handle an amendment to an amendment off of a floor resolution and whether a two thirds or majority vote was required, but her feeling was they were not going to follow Robert's Rules of Order today so she would withhold making any comments regarding this. She mentioned if this was in fact the desire of the Board, she felt they should lead by example since they were asking the County Department Heads to look at ways to decrease expenses and increase revenue then they should be looking at this as an opportunity to increase revenue, as well. She informed she was pleased they would have access to a ridership report in November, but she would have liked more information before the amendment was discussed today and she asked if a two thirds majority vote was required and Chairman Thomas responded in the negative.

Chairman Thomas called the question and the motion to withdraw the amendment to proposed Resolution No. 363 *Amending License Agreement with Revolution Rail Company for Use of County Owned Railroad Tracks, to Include Portion Use of the Southern Portion and Increase Amount Owed in 2020*, was

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carried by majority vote, with Supervisors Seeber, Diamond and Conover voting in opposition.

Supervisor Conover requested a roll call vote on proposed Resolution No. 321, *Amending Resolution No. 50 of 2020, Approving the 2020 Occupancy Tax Spending Plan and Authorizing Agreements Between Municipalities in Warren County and Other Organizations for Tourism Promotion and Tourist and Convention Development Services, to Eliminate Funding to Various Municipalities and Terminate Agreements Between Municipalities and Warren County for Tourism Promotion and Tourist and Convention Development Services.*

Ms. Kissane apprised if the Board so chooses an amendment was required on proposed Resolution No. 326, *Authorizing an Agreement with the Queensbury Union Free School District for the Warren County Sheriff's Office to Provide Law Enforcement Services Within the Queensbury School District*, to increase the amount of the contract to \$87,000. The necessary motion was made by Supervisor Seeber, seconded by Supervisor Beaty and carried unanimously to amend proposed Resolution No. 326 as outlined above.

Chairman Thomas asked Mr. Lehman if there were any public comments on the proposed Resolutions before them and Mr. Lehman replied there was no public comment on resolutions, but there was some on other issues. Chairman Thomas stated these could be addressed during privilege of the floor.

Chairman Thomas suggested they do one roll call vote for proposed Resolution Nos. 353-360 to which no objections were made.

Chairman Thomas called for a vote on resolutions, following which Resolution Nos. 306-363 were approved as presented with the exception of Resolution No. 326, which was amended from the floor.

Supervisor Wild exited the meeting during the roll call votes at 12:34 p.m. and re-entered the meeting at 12:36 p.m.

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

Mr. Lehman advised Diane Collins was inquiring if any support was being offered to renters in the County who could not be evicted until January 1, 2021, but would still accrue unaffordable rent due payments likewise the support offered to landlords. He stated he would forward this question on to Christian Hanchett, *Commissioner, Department of Social Services*, as he was more suitable to answer this question. He informed Ms. Collins had also asked in terms of the budget issue, was a potential garbage hauler fee decision included to which no one responded. He stated Frank Dittrich, *Warren County Lodging Association*, asked regarding occupancy tax payouts to the towns, what would the use of those monies be for in 2020 and Chairman Thomas replied there would be no payments made other than the 25% allocation. Mr. Lehman said Mr. Dittrich also mentioned there was also a study being lead by Supervisor Seeber on allocation methods for occupancy tax with tourism contributing 25% to the County budget. Mr. Dittrich informed as a result of a somewhat uncertain future spending decisions should be cautiously made with a focus on the return on investment. He apprised there was also a comment from Travis Whitehead, *Town of Queensbury Resident*, which indicated he was seeking an apology for the comments made on July 17<sup>th</sup> by Chairman Thomas and previous and subsequent actions by your County Attorney by making false allegations that multiple harassment charges supposedly existed against him. He continued, stating he had since asked the County for an accounting of any and all charged filed and was recently told that for the past six years there were none. He said his reputation had been damaged by the recent allegations and if he did not receive a prompt public apology he would be forced seek relief in court, but prior to that action he would settle for that apology or an accounting of the harassment charges which the County was now indicating did not exist. He implored for the Board to

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spare both parties the cost of such litigation which he would also seek to recover in damages if he was forced to burden the courts with this matter. Mr. Lehman informed there was an additional comment from Ms. Collins which asked about the status of the Warren County Draft Local Solid Waste Management Plan for 2019-2028 and whether there was an update on this. Mr. Hajos responded all of the public comments received had been forwarded on to the County's consultant to provide a response of summary to and once that was provided the Plan would be submitted to the NYS DEC.

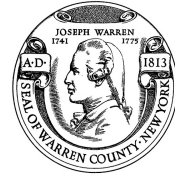
Chairman Thomas called for announcements.

Mr. Hajos stated this would have been the weekend the Adirondack Balloon Festival would have been held, but since it had been cancelled the organizers were holding a virtual balloon festival on their Facebook page for the Balloon Festival in the State of Arizona.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Hogan and seconded by Supervisor Wild, Chairman Thomas adjourned the Board Meeting at 12:41 p.m.

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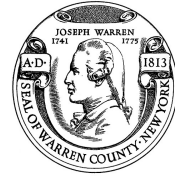
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306	ROLL CALL	<b>FINANCE</b> - MAKING SUPPLEMENTAL APPROPRIATIONS
307	ROLL CALL	<b>FINANCE</b> - AMENDING WARREN COUNTY BUDGET FOR 2020 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY
308		<b>COUNTY FACILITIES (<i>AIRPORT</i>)</b> - AMENDING AGREEMENT WITH PASSERO ASSOCIATES, ENGINEERS, ARCHITECTURE & SURVEYING, D.P.C. CORPORATION TO PROVIDE AIRPORT ENGINEERING DESIGN, CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF NEW T-HANGARS AT THE FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NEW YORK, TO INCREASE THE NOT TO EXCEED AMOUNT
309		<b>CRIMINAL JUSTICE (<i>DISTRICT ATTORNEY</i>)</b> - AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR CRIMES AGAINST REVENUE PROSECUTION (CARP) FUNDING (CR18445143) FOR THE DISTRICT ATTORNEY'S OFFICE
310		<b>CRIMINAL JUSTICE (<i>DISTRICT ATTORNEY</i>)</b> - AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR STATE AID TO PROSECUTION FUNDING FOR THE DISTRICT ATTORNEY'S OFFICE
311		<b>CRIMINAL JUSTICE (<i>PUBLIC DEFENDER'S OFFICE</i>)</b> - 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
312		<b>ENVIRONMENTAL CONCERNS &amp; REAL PROPERTY TAX SERVICES (<i>REAL PROPERTY TAX SERVICES</i>)</b> - AUTHORIZING SALE OF TOWN OF QUEENSBURY TAX MAP PARCEL NO. 295.20-1-12 TO THE TOWN OF QUEENSBURY FOLLOWING THE 2020 WARREN COUNTY TAX FORECLOSURE PROCEEDING
313		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AUTHORIZING AGREEMENT WITH KEITH BAUGH TO PROVIDE SPEECH THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT

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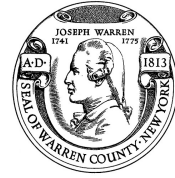
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
314		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>) - AUTHORIZING AGREEMENT WITH ABILITIES, OCCUPATIONAL THERAPY, PHYSICAL THERAPY AND SPEECH-LANGUAGE PATHOLOGY, PLLC D/B/A ABILITIES TO PROVIDE COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) SERVICES TO ELIGIBLE WARREN COUNTY CHILDREN</b>
315		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>) - AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HEALTH GRANTS ADMINISTRATION/HEALTH RESEARCH INSTITUTE FOR EPIDEMIOLOGY AND LABORATORY CAPACITY (ELC) COVID-19 ENHANCED DETECTION FUNDING</b>
316		<b>HUMAN SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - AUTHORIZING EXTENSION OF AGREEMENT WITH B-LANN EQUIPMENT TO PROVIDE SEMI-ANNUAL INSPECTIONS OF KITCHEN KNIGHT II FIRE SUPPRESSION SYSTEM AT COUNTRYSIDE ADULT HOME</b>
317		<b>HUMAN SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - AUTHORIZING EXTENSION OF AGREEMENT WITH HUDSON HEADWATERS HEALTH NETWORK TO PROVIDE CLINICIAN SERVICES FOR COUNTRYSIDE ADULT HOME</b>
318		<b>HUMAN SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - AUTHORIZING EXTENSION OF AGREEMENT WITH ACTION SEPTIC SERVICE TO PROVIDE INSPECTION, CLEANING AND REPAIR OF KITCHEN AND LAUNDRY SEWER LINES AND ANY OTHER ADDITIONAL SEWER LINES AT COUNTRYSIDE ADULT HOME</b>
319		<b>HUMAN SERVICES (<i>COUNTRYSIDE ADULT HOME</i>) - ADOPTING OVERTIME FOR MANDATORY COVID-19 TESTING POLICY FOR COUNTRYSIDE ADULT HOME</b>
320		<b>OCCUPANCY TAX COORDINATION - AMENDING RESOLUTION NO. 221 OF 2020, AMENDING RESOLUTION NO. 49 OF 2020 TO MAKE CORRECTIONS TO EVENT DATES AND INDICATE EVENTS THAT HAVE BEEN CANCELLED FOR 2020, TO REDUCE THE AWARD TO IMPROV RECORDS FOR 2020</b>

# Warren County Board of Supervisors

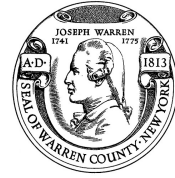
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
321	ROLL CALL	<b>OCCUPANCY TAX COORDINATION - AMENDING RESOLUTION NO. 50 OF 2020, APPROVING THE 2020 OCCUPANCY TAX SPENDING PLAN AND AUTHORIZING AGREEMENTS BETWEEN MUNICIPALITIES IN WARREN COUNTY AND OTHER ORGANIZATIONS FOR TOURISM PROMOTION AND TOURIST AND CONVENTION DEVELOPMENT SERVICES, TO ELIMINATE FUNDING TO VARIOUS MUNICIPALITIES AND TERMINATE AGREEMENTS BETWEEN MUNICIPALITIES AND WARREN COUNTY FOR TOURISM PROMOTION AND TOURIST AND CONVENTION DEVELOPMENT SERVICES</b>
322		<b>PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>) - APPOINTING MEMBERS OF WARREN COUNTY FIRE ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES</b>
323		<b>PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>) - APPOINTING MEMBERS OF WARREN COUNTY EMS ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES</b>
324		<b>PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>) - AUTHORIZING AGREEMENT WITH BLACK LASER LEARNING, INC. TO PROVIDE SIDE SCAN SONAR TRAINING TO MEMBERS OF THE WARREN COUNTY MARINE RESCUE TEAM FOR THE OFFICE OF EMERGENCY SERVICES</b>
325		<b>PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>) - AUTHORIZING INFORMATION SHARING ACCESS AGREEMENT BETWEEN WARREN COUNTY AND THE DEPARTMENT OF HOMELAND SECURITY/FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA), FEDERAL INSURANCE AND MITIGATION ADMINISTRATION (FIMA) TO ACCESS THE NATIONAL FLOOD INSURANCE PROGRAM POLICY USED FOR THE HAZARD MITIGATION PLAN</b>
326		<b>PUBLIC SAFETY (<i>SHERIFF</i>) - AUTHORIZING AN AGREEMENT WITH THE QUEENSBURY UNION FREE SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE QUEENSBURY SCHOOL DISTRICT <i>RESOLUTION AMENDED FROM THE FLOOR</i></b>

# Warren County Board of Supervisors

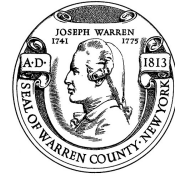
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
327		<b>PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING AN AGREEMENT WITH THE LAKE GEORGE CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE LAKE GEORGE CENTRAL SCHOOL DISTRICT
328		<b>PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING AN AGREEMENT WITH THE HADLEY-LUZERNE CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE HADLEY-LUZERNE CENTRAL SCHOOL DISTRICT
329		<b>PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING AN AGREEMENT WITH THE NORTH WARREN CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE NORTH WARREN CENTRAL SCHOOL
330		<b>PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING AN AGREEMENT WITH THE BOLTON CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE BOLTON CENTRAL SCHOOL
331		<b>PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING AN AGREEMENT WITH THE JOHNSBURG CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE JOHNSBURG CENTRAL SCHOOL DISTRICT
332		<b>PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING CONTINUATION OF THE AGREEMENT WITH NEMER FORD AS PROPRIETARY DEALER ONLY FOR REPAIRS OF VARIOUS FORD MAKES AND MODELS FOR THE WARREN COUNTY SHERIFF'S OFFICE
333		<b>PUBLIC WORKS (<i>PARKS, RECREATION &amp; RAILROAD</i>)</b> - ACCEPTING DONATION OF A VIEWING SCOPE TO BE INSTALLED AT UP YONDA FARM FROM THE FRIENDS OF UP YONDA AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SEND A LETTER OF APPRECIATION
334		<b>PUBLIC WORKS (<i>DPW</i>)</b> - ACCEPTING STATIONARY BRINE MAKING UNIT FROM THE FUND FOR LAKE GEORGE AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SEND A LETTER OF APPRECIATION

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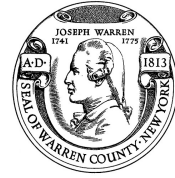
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
335	ROLL CALL	<b>PERSONNEL &amp; ADMINISTRATION - AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2020</b>
336		<b>PERSONNEL &amp; ADMINISTRATION (CLERK OF THE BOARD) - AUTHORIZING RENEWAL OF AGREEMENT WITH GLENS FALLS HOSPITAL FOR AUTOPSY SERVICES AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN A LETTER OF AGREEMENT WITH GLENS FALLS HOSPITAL FOR SAME</b>
337		<b>PERSONNEL &amp; ADMINISTRATION (COUNTY ADMINISTRATOR) - APPROVING REVISIONS TO THE WARREN COUNTY WORKPLACE VIOLENCE PREVENTION PLAN AND PROGRAM</b>
338		<b>PERSONNEL &amp; ADMINISTRATION (HUMAN RESOURCES) - APPROVING THE WARREN COUNTY POLICY AGAINST DISCRIMINATION AND HARASSMENT WHICH REPLACES THE WARREN COUNTY PLAN AND PROGRAM ON WORKPLACE HARASSMENT</b>
339		<b>PERSONNEL &amp; ADMINISTRATION (HUMAN RESOURCES) - ADOPTING OUT-OF-UNIT EMPLOYEE BENEFITS POLICY</b>
340		<b>PERSONNEL &amp; ADMINISTRATION (HUMAN RESOURCES) - AUTHORIZING CONTINUATION OF A MEDICARE ADVANTAGE INSURANCE PLAN FOR WARREN COUNTY RETIREES</b>
341		<b>PERSONNEL &amp; ADMINISTRATION (HUMAN RESOURCES) - AUTHORIZING CONTINUATION OF HEALTH, DENTAL, VISION AND VOLUNTARY LIFE AND ACCIDENT INSURANCE FOR COUNTY OFFICERS, EMPLOYEES AND RETIREES</b>
342	ROLL CALL	<b>FINANCE (BUILDINGS &amp; GROUNDS) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE REHAB COUNTY BUILDINGS RESERVE TO THE BUILDINGS BUDGET FOR ELEVATOR REPAIR AND UPGRADE; AMENDING 2020 WARREN COUNTY BUDGET</b>

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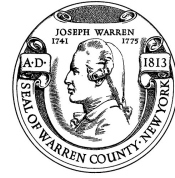
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
343		<b>FINANCE (<i>BUILDINGS &amp; GROUNDS</i>)</b> - AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR GENERAL CONSTRUCTION CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)
344		<b>FINANCE (<i>BUILDINGS &amp; GROUNDS</i>)</b> - AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR PLUMBING CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)
345		<b>FINANCE (<i>BUILDINGS &amp; GROUNDS</i>)</b> - AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR ELECTRICAL CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)
346		<b>FINANCE (<i>BUILDINGS &amp; GROUNDS</i>)</b> - AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR HVAC CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)
347	ROLL CALL	<b>FINANCE (<i>COUNTY ADMINISTRATOR</i>)</b> - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE INSURANCE RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS; AMENDING 2020 WARREN COUNTY BUDGET
348		<b>FINANCE (<i>COUNTY TREASURER</i>)</b> - AUTHORIZING GLENS FALLS NATIONAL BANK & TRUST COMPANY TO ISSUE A LETTER OF CREDIT ON BEHALF OF WARREN COUNTY TO BLUE SHIELD OF NORTHEASTERN NEW YORK AS AN ALTERNATIVE TO PRE-FUNDING THE HEALTH INSURANCE ACCOUNT
349		<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AUTHORIZING COUNTY TREASURER TO CLOSE CAPITAL PROJECTS
350		<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AUTHORIZING THE COUNTY TREASURER TO WRITE OFF UNCOLLECTED STATE/FEDERAL RECEIVABLES FROM CAPITAL PROJECTS

# Warren County Board of Supervisors

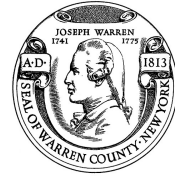
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
351	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AMENDING CAPITAL PROJECT NO. H199, CORINTH ROAD RECONSTRUCTION, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020
352	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AMENDING CAPITAL PROJECT NO. H200, QUAKER ROAD SIGNAL IMPROVEMENTS PROJECT, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020
353	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - INCREASING CAPITAL PROJECT NO. H200, QUAKER ROAD SIGNAL IMPROVEMENTS PROJECT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020
354	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AMENDING CAPITAL PROJECT NO. H219, RAILROAD TRACK RESTORATION PROJECT, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AMENDING WARREN COUNTY BUDGET FOR 2020
355	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AMENDING CAPITAL PROJECT NO. H258, WARRENSBURG ROAD (CR 3) OVER STONY CREEK (TANNERY BRIDGE) PROJECT, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020
356	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - INCREASING CAPITAL PROJECT NO. H384, CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020
357	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - ESTABLISHING CAPITAL PROJECT NO. H401, SAGAMORE ROAD RETAINING WALL; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020
358	ROLL CALL	<b>FINANCE (<i>DEPARTMENT OF PUBLIC WORKS</i>)</b> - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE DEPARTMENT OF PUBLIC WORKS BUDGET; AMENDING 2020 WARREN COUNTY BUDGET

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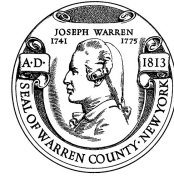
<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
359	ROLL CALL	<b>FINANCE (OFFICE OF EMERGENCY SERVICES)-INCREASING CAPITAL PROJECT NO. H254, FIRE TRAINING CENTER PROJECT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020</b>
360	ROLL CALL	<b>FINANCE (OFFICE OF EMERGENCY SERVICES) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS; AMENDING 2020 WARREN COUNTY BUDGET</b>
361		<b>ENVIRONMENTAL CONCERNS &amp; REAL PROPERTY TAX SERVICES (REAL PROPERTY TAX SERVICES) - APPROVING AND ADOPTING WARREN COUNTY FORECLOSURE AUCTION 2020 SPECIAL GUIDELINES RELATED TO COVID-19 APPLICABLE TO THE SALE OF PARCELS ACQUIRED BY THE COUNTY BY REASON OF FORECLOSURE OF TAX LIENS</b>
362		<b>ENVIRONMENTAL CONCERNS &amp; REAL PROPERTY TAX SERVICES (REAL PROPERTY TAX SERVICES)- AMENDING RESOLUTION NO. 339 OF 2019; APPROVING AND ADOPTING THE WARREN COUNTY REAL ESTATE AUCTION 2020 TERMS AND CONDITIONS OF SALE APPLICABLE TO THE SALE OF PARCELS ACQUIRED BY THE COUNTY BY REASON OF THE FORECLOSURE OF TAX LIENS</b>
363		<b>SUPERVISORS SIMPSON AND MERLINO - AMENDING LICENSE AGREEMENT WITH REVOLUTION RAIL COMPANY FOR USE OF COUNTY OWNED RAILROAD TRACKS, TO INCLUDE PORTION USE OF THE SOUTHERN PORTION AND INCREASE AMOUNT OWED IN 2020</b>
CA07		<b>CERTIFICATE OF APPOINTMENT - RE-APPOINTING MEMBERS OF THE WARREN COUNTY YOUTH BOARD</b>
CA08		<b>CERTIFICATE OF APPOINTMENT - APPOINTING MEMBER OF THE SARATOGA-WARREN-WASHINGTON COUNTIES WORKFORCE DEVELOPMENT BOARD</b>

*RESOLUTION NOS. 306-362, AND TWO CERTIFICATES OF APPOINTMENT, WERE MAILED TO THE MEMBERS OF THE BOARD OF SUPERVISORS ON SEPTEMBER 11, 2020*

*RESOLUTION NO. 363 WAS DISTRIBUTED TO THE MEMBERS OF THE BOARD OF SUPERVISORS AS FLOOR RESOLUTION NO. 1 ON SEPTEMBER 15, 2020 - UPON MOTION AND SIMPLE MAJORITY VOTE, IT WAS BROUGHT TO THE FLOOR AND GIVEN A NUMBER*

# Warren County Board of Supervisors

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RES. NO.      VOTE      DESCRIPTION

# Warren County Board of Supervisors

## CERTIFICATE OF APPOINTMENT

I, FRANK E. THOMAS, Chairman of the Warren County Board of Supervisors, pursuant to the power vested in me, DO HEREBY RE-APPOINT the following named individuals as members of the Warren County Youth Board, for the term set opposite his/her name:

**NAME/ADDRESS**

**TERM**

Annie McMahon (Warren County Employment & Training)

1/1/2020 - 12/31/2020

Peter Olesheski (Town of Johnsbury Resident)  
*Replacing Chris Hunsinger*

1/1/2020 - 12/31/2020

Dated: September 18, 2020

  
FRANK E. THOMAS, CHAIRMAN  
Warren County Board of Supervisors

# Warren County Board of Supervisors

## CERTIFICATE OF APPOINTMENT

I, FRANK THOMAS, Chairman of the Warren County Board of Supervisors, pursuant to the power vested in me, DO HEREBY APPOINT the following named person as member of the Saratoga-Warren-Washington Counties Workforce Development Board, for the term set opposite their name:

<u>NAME</u>	<u>SECTOR/AFFILIATION</u>	<u>TERM</u>
<b>Appointing:</b> Ash Anand <i>(Replacing Mike Perez due to resignation)</i>	President & CEO Lotus Group of Companies	9/1/20 - 6/30/21

Dated: September 18, 2020

  
FRANK E. THOMAS, CHAIRMAN  
Warren County Board of Supervisors

# Warren County Board of Supervisors

## RESOLUTION NO. 306 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### MAKING SUPPLEMENTAL APPROPRIATIONS

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2020 as set forth herein, now, therefore, be it

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

FROM CODE		TO CODE		AMOUNT
<b>DEPARTMENT: COUNTY CLERK/DMV</b>				
A.1410 110	County Clerk, Salaries- Regular	A.1410 120	County Clerk, Salaries- Overtime	\$2,000.00
<b>DEPARTMENT: DPW</b>				
D.5110 418	County Road, Maintenance of Roads, Ins-General Liability	D.5010 419	County Road, Highway Administration, Settlements	2,500.00
<b>DEPARTMENT: OFFICE OF EMERGENCY SERVICES</b>				
A.3645.4109 110	Homeland Security, FY19 LEMPG, Salaries-Regular	A.3640 110	Civil Defense, Salaries- Regular	861.51
A.3645.4109 810	Retirement	A.3640 810	Retirement	158.40
A.3645.4109 830	Social Security	A.3640 830	Social Security	89.62
A.3645.4109 831	Medicare Contribution	A.3640 831	Medicare Contribution	21.46
A.3645.4109 860	Hospitalization	A.3640 860	Hospitalization	113.01
<b>DEPARTMENT: PUBLIC HEALTH</b>				
A.4010 110	Health Services, Salaries- Regular	A.4018.0030 110	Prevention Program, Disease Control, Salaries-Regular	25,000.00
A.4010 810	Retirement	A.4018.0030 810	Retirement	3,950.00
A.4010 830	Social Security	A.4018.0030 830	Social Security	1,550.00
A.4010 831	Medicare Contribution	A.4018.0030 831	Medicare Contribution	362.50

**RESOLUTION No. 306 OF 2020**

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**Health Services, continued**

<b>FROM CODE</b>		<b>TO CODE</b>		<b>AMOUNT</b>
A.4189 110	Public Health-Bio Terrorism, Salaries- Regular	A.4018.0040 110	Prevention Program, Health Education, Salaries-Regular	\$7,696.14
A.4189 810	Retirement	A.4018.0040 810	Retirement	1,231.37
A.4189 830	Social Security	A.4018.0040 830	Social Security	477.16
A.4189 831	Medicare Contribution	A.4018.0040 831	Medicare Contribution	111.61

**SPECIAL ITEMS:**

**DEPARTMENT: DPW**

A.1990 469	Contingent Account, Other Payments/ Contributions	A.7113 417	Railroad, Water/Sewer/Taxes	4,600.00
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**DEPARTMENT: MEDICAL EXAMINERS & CORONERS**

A.1990 469	Contingent Account, Other Payments/ Contributions	A.1185 435	Medical Examiners & Coroners, Medical Fees	59,000.00
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**DEPARTMENT: WEIGHTS & MEASURES**

A.1990 469	Contingent Account, Other Payments/ Contributions	A.6610 110	Weights & Measures, Salaries-Regular	21,985.66
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# Warren County Board of Supervisors

## RESOLUTION NO. 307 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### AMENDING WARREN COUNTY BUDGET FOR 2020 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2020 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>
<b>ASSIGNED COUNSEL</b>		
<u>ESTIMATED REVENUE</u>		
A.1170 3045	Legal Defense-Indigents, Office of Indigent Leal Services Distribution	\$27,129.00
<u>APPROPRIATIONS</u>		
A.1170 130	Legal Defense-Indigents, Salaries-Part Time	25,200.00
A.1170 830	Social Security	1,563.00
A.1170 831	Medicare	366.00
<b>DPW</b>		
<u>ESTIMATED REVENUE</u>		
A.1325 5031	County Treasurer, Interfund Transfers	65,194.47
D.5010 5031	County Road, Highway Administration, Interfund Transfers	65,482.33
DM.5130 2390	Road Machinery, Machinery, Join Share of Activity, Govt	98,018.60
<u>APPROPRIATIONS</u>		
A.9950 910	Transfers-Capital Projects, Interfund Transfers	65,194.47
D.9950 910	County Road, Transfers-Capital Projects, Interfund Transfers	65,482.33
DM.5130 240	Road Machinery, Machinery, Highway & Street Equipment	98,018.60
<b>EMPLOYMENT &amp; TRAINING ADMINISTRATION</b>		
<u>ESTIMATED REVENUE</u>		
40.6293.0300 4791	Workforce Invest. Act, WIA/WIOA, Adult, Workforce Invest Act/ Workforce Innovation & Opportunity Act	204,765.90

**RESOLUTION No. 307 OF 2020**

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b><i>EMPLOYMENT &amp; TRAINING ADMINISTRATION ESTIMATED REVENUE, CONTINUED</i></b>		
40.6293.0305 4791	Workforce Invest. Act, WIA/WIOA, Dislocated Worker, Workforce Invest Act/ Workforce Innovation & Opportunity Act	\$123,598.58
40.6293.0310 4791	Youth, Workforce Invest Act/ Workforce Innovation & Opportunity Act	210,621.39
40.6293.0313 4791	Administrative, Workforce Invest Act/ Workforce Innovation & Opportunity Act	58,804.03
40.6326 4786	Summer TANF, Summer TANF	95,596.00
<b><u>APPROPRIATIONS</u></b>		
40.6293.0300 110	Workforce Invest. Act, WIA/WIOA, Adult, Salaries-Regular	88,326.49
40.6293.0300 220	Office Equipment	3,500.00
40.6293.0300 260	Other Equipment	166.58
40.6293.0300 410	Supplies	5,293.22
40.6293.0300 411	Rent-Building/Property	17,764.25
40.6293.0300 421	Equipment Rental	79.96
40.6293.0300 423	Telephone	1,665.78
40.6293.0300 424	Postage	133.26
40.6293.0300 426	Subscriptions	399.79
40.6293.0300 427	Memberships & Dues	249.87
40.6293.0300 428	Data Processing & Internet Fees	1,332.63
40.6293.0300 433	Training-Client	25,000.00
40.6293.0300 434	Allowances	5,114.29
40.6293.0300 439	Misc. Fees & Expenses	999.47
40.6293.0300 444	Travel/Education/Conference	932.84
40.6293.0300 810	Retirement	7,753.46
40.6293.0300 830	Social Security	5,476.24
40.6293.0300 831	Medicare Contribution	1,280.73
40.6293.0300 840	Workmen's Compensation	2,797.43
40.6293.0300 850	Unemployment Insurance	1,566.38

*RESOLUTION No. 307 OF 2020*

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<i>EMPLOYMENT &amp; TRAINING ADMINISTRATION APPROPRIATIONS, CONTINUED</i>		
40.6293.0300 855	Workforce Invest. Act, WIA/WIOA, Adult, Disability	\$10.62
40.6293.0300 860	Hospitalization	25,448.54
40.6293.0300 861	Retirees Hospitalization	9,115.71
40.6293.0300 865	Dental Insurance	358.36
40.6293.0305 110	Dislocated Worker, Salaries-Regular	49,837.75
40.6293.0305 220	Office Equipment	1,000.00
40.6293.0305 260	Other Equipment	166.58
40.6293.0305 410	Supplies	894.30
40.6293.0305 411	Rent-Building/Property	11,921.20
40.6293.0305 421	Equipment Rental	53.66
40.6293.0305 423	Telephone	1,117.87
40.6293.0305 424	Postage	89.43
40.6293.0305 426	Subscriptions	268.29
40.6293.0305 427	Memberships & Dues	167.68
40.6293.0305 428	Data Processing & Internet Fees	894.30
40.6293.0305 433	Training-Client	10,000.00
40.6293.0305 434	Allowances	2,885.71
40.6293.0305 439	Misc. Fees & Expenses	670.72
40.6293.0305 444	Training/Education/Conference	626.00
40.6293.0305 810	Retirement	7,778.16
40.6293.0305 830	Social Security	15,748.21
40.6293.0305 831	Medicare Contribution	722.65
40.6293.0305 840	Workmen's Compensation	1,578.43
40.6293.0305 850	Unemployment Insurance	1,509.96
40.6293.0305 855	Disability	5.99
40.6293.0305 860	Hospitalization	10,316.00
40.6293.0305 861	Retirees Hospitalization	5,143.49

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<i>EMPLOYMENT &amp; TRAINING ADMINISTRATION APPROPRIATIONS, CONTINUED</i>		
40.6293.0305 865	Workforce Invest. Act, WIA/WIOA, Dislocated Worker, Dental Insurance	\$202.20
40.6293.0310 110	Youth, Salaries-Regular	78,023.85
40.6293.0310 130	Salaries-Part Time	53,000.00
40.6293.0310 220	Office Equipment	1,500.00
40.6293.0310 260	Other Equipment	167.28
40.6293.0310 410	Supplies	1,338.25
40.6293.0310 411	Rent-Building/Property	6,669.16
40.6293.0310 421	Equipment Rental	80.30
40.6293.0310 423	Telephone	1,672.81
40.6293.0310 424	Postage	133.83
40.6293.0310 426	Subscriptions	401.28
40.6293.0310 427	Memberships & Dues	250.92
40.6293.0310 428	Data Processing & Internet Fees	1,338.25
40.6293.0310 439	Misc. Fees & Expenses	1,003.69
40.6293.0310 444	Travel/Education/Conference	939.78
40.6293.0310 445	Foods	300.00
40.6293.0310 470	Contract	10,094.29
40.6293.0310 810	Retirement	6,196.32
40.6293.0310 830	Social Security	8,123.48
40.6293.0310 831	Medicare Contribution	1,899.85
40.6293.0310 840	Workmen's Compensation	2,471.13
40.6293.0310 850	Unemployment Insurance	1,190.01
40.6293.0310 855	Disability	9.38
40.6293.0310 860	Hospitalization	25,448.54
40.6293.0310 861	Retirees Hospitalization	8,052.43
40.6293.0310 865	Dental Insurance	316.56
40.6293.0313 110	Administrative, Salaries-Regular	32,497.71

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>EMPLOYMENT &amp; TRAINING ADMINISTRATION APPROPRIATIONS, CONTINUED</b>		
40.6293.0313 220	Workforce Invest. Act, WIA/WIOA, Administrative, Office Equipment	\$1,000.00
40.6293.0313 260	Other Equipment	54.35
40.6293.0313 410	Supplies	434.82
40.6293.0313 411	Rent-Building/Property	2,912.39
40.6293.0313 421	Equipment Rental	26.08
40.6293.0313 423	Telephone	543.54
40.6293.0313 424	Postage	43.48
40.6293.0313 426	Subscriptions	130.44
40.6293.0313 427	Memberships & Dues	81.53
40.6293.0313 428	Data Processing & Internet Fees	434.82
40.6293.0313 439	Misc. Fees & Expenses	326.12
40.6293.0313 444	Travel/Education/Conference	304.38
40.6293.0313 445	Foods	300.00
40.6293.0313 810	Retirement	7,778.16
40.6293.0313 830	Social Security	2,014.86
40.6293.0313 831	Medicare Contribution	471.22
40.6293.0313 840	Workmen's Compensation	1,029.25
40.6293.0313 850	Unemployment Insurance	640.67
40.6293.0313 855	Disability	3.91
40.6293.0313 860	Hospitalization	3,353.92
40.6293.0313 861	Retiree's Hospitalization	4,290.53
40.6293.0313 865	Dental Insurance	131.85
40.6326 110	Summer TANF, Salaries-Regular	14,632.08
40.6326 130	Salaries-Part Time	40,000.00
40.6326 410	Supplies	8,449.86
40.6326 470	Contract	14,164.00
40.6326 810	Retirement	7,778.16

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>EMPLOYMENT &amp; TRAINING ADMINISTRATION APPROPRIATIONS, CONTINUED</b>		
40.6326 830	Workforce Invest. Act, Summer TANF, Social Security	\$3,387.19
40.6326 831	Medicare Contribution	792.17
40.6326 840	Workmen's Compensation	532.54
40.6326 860	Hospitalization	4,290.53
40.6326 861	Retirees Hospitalization	1,510.10
40.6326 865	Dental Insurance	59.37

**OFFICE OF EMERGENCY SERVICES**

**ESTIMATED REVENUE**

A.3645.4111 4305	Homeland Security, FY20 EMPG-S (COVID-19), Local Emergency Management Performance Grant	14,364.00
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**APPROPRIATIONS**

A.3645.4111 260	Homeland Security, FY20 EMPG-S (COVID-19), Other Equipment	14,364.00
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**PUBLIC HEALTH**

**ESTIMATED REVENUE**

A.4018.0030.3407	Preventive Program, Disease Control, Disease Control-Public Health	14,105.00
A.4193.4408	Public Health-COVID-CommCare, Public Health-COVID CommCare	150,000.00

**APPROPRIATIONS**

A.4018.0030 110	Preventive Program, Disease Control, Salaries-Regular	6,000.00
A.4018.0030 410	Supplies	700.00
A.4018.0030 424	Postage	300.00
A.4018.0030 435	Medical Fees	546.00
A.4018.0030 436	Advertising Fees	6,000.00
A.4018.0030 442	Automotive-Gas & Oil	100.00
A.4018.0030 830	Social Security	372.00
A.4018.0030 831	Medicare Contribution	87.00
A.4193 110	Public Health-COVID-CommCare, Salaries-Regular	25,000.00
A.4193 120	Salaries-Overtime	25,000.00

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b><i>PUBLIC HEALTH APPROPRIATIONS, CONTINUED</i></b>		
A.4193 130	Public Health-COVID-CommCare, Salaries-Part Time	\$60,000.00
A.4193 220	Office Equipment	3,300.00
A.4193 435	Medical Fees	15,000.00
A.4193 810	Retirement	10,000.00
A.4193 830	Social Security	7,000.00
A.4193 831	Medicare Contribution	1,600.00
A.4193 860	Hospitalization	3,000.00
A.4193 865	Dental Insurance	100.00

RESOLVED, that the supplemental appropriations or reductions in estimated revenues and appropriations set forth above are authorized and the County Treasurer be, and he hereby is, authorized and directed to amend the budget of Warren County for 2020 for the estimated revenues, appropriations and codes indicated, and be it further

RESOLVED, that the Warren County budget for 2020 is hereby amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 308 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS BEATY, BRUNO, MAGOWAN, CONOVER, DIAMOND, HOGAN AND SEEBER**

**AMENDING AGREEMENT WITH PASSERO ASSOCIATES, ENGINEERS, ARCHITECTURE & SURVEYING, D.P.C. CORPORATION TO PROVIDE AIRPORT ENGINEERING DESIGN, CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF NEW T-HANGARS AT THE FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NEW YORK, TO INCREASE THE NOT TO EXCEED AMOUNT**

WHEREAS, Resolution No. 248 of 2019 authorized an agreement with Passero Associates, Engineers, Architecture & Surveying, D.P.C. Corporation, to provide Airport Engineering Design, Construction Administration and Inspection services related to the construction of new T-Hangars at the Floyd Bennett Memorial Airport, Warren County, New York, and

WHEREAS, the County Facilities Committee has approved a request to increase the not to exceed amount from Ninety Thousand Dollars (\$90,000) to One Hundred Twenty-Five Thousand Dollars (\$125,000), now, therefore be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an amendment agreement with Passero Associates, Engineers, Architecture & Surveying, D.P.C. Corporation, 242 West Main Street, Suite 100, Rochester, New York 14614, to increase the not to exceed amount to One Hundred Twenty-Five Thousand Dollars (\$125,000), in a form approved by the County Attorney, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 248 of 2019 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 309 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SEEBER, LEGGETT, BEATY, DIAMOND, DRISCOLL, McDEVITT AND SHEPLER**

**AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR CRIMES AGAINST REVENUE PROSECUTION (CARP) FUNDING (CR18445143) FOR THE DISTRICT ATTORNEY'S OFFICE**

WHEREAS, the District Attorney has requested approval to submit a grant application to the New York State Division of Criminal Justice Services, for Crimes Against Revenue Prosecution (CARP) funding for the year 2021, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute a grant application to the New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, NY 12210, for Crimes Against Revenue Prosecution (CARP) funding, in an amount to be determined, for a term commencing January 1, 2021 and terminating December 31, 2021, and be it further

RESOLVED, that upon notification of the grant award, the Chairman of the Board of Supervisors be, and hereby is, authorized to execute the grant agreement and/or grant agreements and any and all other necessary documents relating to said agreement, in a form approved by the County Attorney, and be it further

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

# Warren County Board of Supervisors

## RESOLUTION NO. 310 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SEEBER, LEGGETT, BEATY, DIAMOND, DRISCOLL, McDEVITT AND SHEPLER**

**AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR STATE AID TO PROSECUTION FUNDING FOR THE DISTRICT ATTORNEY'S OFFICE**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute a grant application to the New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, New York 12210, for State Aid to Prosecution funding in an amount to be determined, for a term commencing October 1, 2020 and terminating September 30, 2021, and be it further

RESOLVED, that upon notification of the grant award, the Chairman of the Board of Supervisors be, and hereby is, authorized to execute the grant agreement and/or grant agreements and any and all other necessary documents relating to said agreement, in a form approved by the County Attorney, and be it further

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

# Warren County Board of Supervisors

## RESOLUTION No. 311 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SEEBER, LEGGETT, BEATY, DIAMOND, DRISCOLL, MCDEVITT AND SHEPLER**

**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 Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors 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. 111 of 2019), for a term commencing April 13, 2020 and terminating April 12, 2021, for 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 future annual renewals of this agreement shall be automatic so long as the price does not exceed Three Thousand Dollars (\$3,000) annually, 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. 312 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, HOGAN, BEATY, MERLINO, SIMPSON AND STROUGH**

**AUTHORIZING SALE OF TOWN OF QUEENSBURY TAX MAP  
PARCEL NO. 295.20-1-12 TO THE TOWN OF QUEENSBURY FOLLOWING THE 2020  
WARREN COUNTY TAX FORECLOSURE PROCEEDING**

WHEREAS, Town of Queensbury Tax Map Parcel No. 295.20-1-12 is a small parcel of land adjacent to Town-owned property (Town of Queensbury Recreation Department) and is included in the 2020 County Tax Foreclosure proceeding for delinquent taxes, and

WHEREAS, Resolution No. 632 of 2005 allows a Town to purchase property which has been obtained in a foreclosure proceeding by the County, for the amount of the delinquent taxes plus penalties and interest due at the time of the foreclosure, or one-third (1/3) of the value of the property, whichever amount is lower, and

WHEREAS, Town of Queensbury Supervisor John Strough has advised that the Town desires to purchase the above-referenced parcel, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the sale of Town of Queensbury Tax Map Parcel No. 295.20-1-12 to the Town of Queensbury, for the amount of delinquent taxes plus penalties and interest due at the time of the foreclosure, or one-third (1/3) of the value of the property, whichever is lower, provided, however, that if the Town of Queensbury re-sells the property within five (5) years following acquisition, the Town of Queensbury shall pay to the County fifty percent (50%) of the profit made on such sale with profit being defined as that amount received by the Town of Queensbury in excess of the cost of acquisition and the cost of any improvements made to the property paid by the Town of Queensbury, and be it further

RESOLVED, that upon payment of the amount due for the parcel the Chairman of the Board of Supervisors be, and hereby is, authorized to execute a Quitclaim Deed and any other necessary documents to facilitate the conveyance in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 313 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS MCDEVITT, BEATY, CONOVER, BRUNO, FRASIER, MAGOWAN AND SHEPLER**

### **AUTHORIZING AGREEMENT WITH KEITH BAUGH TO PROVIDE SPEECH THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT**

RESOLVED, that Warren County enter into an agreement with Keith Baugh to provide speech therapy services, as follows:

#### **Certified Home Health Agency**

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates -Region Two</b>
Evaluation Visit	\$70.00	\$80.00
Revisit	\$55.00	\$75.00
Meetings	\$40.00	\$40.00

#### **Early Intervention Services Only**

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates - Region Two</b>
Evaluation	\$50.00	\$57.00
Revisit	\$50.00	\$57.00
Extended Visit (with IFSP Approval)	\$70.00	\$70.00
Meetings	\$40.00	\$40.00
Supplemental Evaluations	\$117.00	\$117.00

#### **Preschool CPSE/Approved IEP**

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates - Region Two</b>
Basic Visit	\$53.00	\$60.00
Group Visit (per child)	\$44.00	\$44.00
Meetings	\$40.00	\$40.00

for a term commencing September 18, 2020 and terminating upon thirty (30) days written notice, and the Warren County Board of Supervisors authorizes the Chairman of the Board of Supervisors to execute an

**RESOLUTION NO. 313 OF 2020**

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agreement in a form approved by the County Attorney, and be it further

RESOLVED, that the terms Region One and Region Two, as described above, represent two distinct service areas in the County, which are divided as follows: Region One - Towns of Lake George, Queensbury, Warrensburg and City of Glens Falls; Region Two - Towns of Bolton, Chester, Hague, Horicon, Johnsburg, Lake Luzerne, Stony Creek and Thurman, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.4054 444 Ed/Physically Hand.Children, Travel/Education/Conference.

# Warren County Board of Supervisors

## RESOLUTION NO. 314 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS MCDEVITT, BEATY, CONOVER, BRUNO, FRASIER, MAGOWAN AND SHEPLER**

**AUTHORIZING AGREEMENT WITH ABILITIES, OCCUPATIONAL THERAPY, PHYSICAL THERAPY AND SPEECH-LANGUAGE PATHOLOGY, PLLC D/B/A ABILITIES TO PROVIDE COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) SERVICES TO ELIGIBLE WARREN COUNTY CHILDREN**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with Abilities, Occupational Therapy, Physical Therapy and Speech-Language Pathology, PLLC d/b/a Abilities, 10 Mountain Ledge Drive, Gansevoort, New York 12831, to provide Committee on Preschool Special Education (CPSE) Services to eligible Warren County children, for a term commencing September 18, 2020 and continuing unless terminated by either party upon thirty (30) days written notice, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.4054 444 Ed/Physically Hand. Children, Travel/Education/Conference.

# Warren County Board of Supervisors

## RESOLUTION NO. 315 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS MCDEVITT, BEATY, CONOVER, BRUNO, FRASIER, MAGOWAN AND SHEPLER**

**AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HEALTH GRANTS ADMINISTRATION/HEALTH RESEARCH INSTITUTE FOR EPIDEMIOLOGY AND LABORATORY CAPACITY (ELC) COVID-19 ENHANCED DETECTION FUNDING**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute and submit a grant application to the New York State Department of Health Grants Administration/Health Research Institute, 150 Broadway, Suite 516, Albany, New York 12204, for Epidemiology and Laboratory Capacity (ELC) COVID-19 Enhanced Detection funding, for an amount not to exceed One Million Two Hundred Sixty-One Thousand Three Hundred Seventy-Nine Dollars (\$1,261,379), for a term commencing July 1, 2020 and terminating June 30, 2022, and be it further

RESOLVED, that upon notification of the award of said grant funds, the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized and directed to execute any and all grant documents on behalf of the County of Warren relative to the above grant, in a form approved by the County Attorney, and be it further

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

# Warren County Board of Supervisors

## RESOLUTION NO. 316 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, HOGAN, BRUNO, FRASIER, MAGOWAN, MCDEVITT AND SHEPLER**

**AUTHORIZING EXTENSION OF AGREEMENT WITH B-LANN EQUIPMENT TO PROVIDE SEMI-ANNUAL INSPECTIONS OF KITCHEN KNIGHT II FIRE SUPPRESSION SYSTEM AT COUNTRYSIDE ADULT HOME**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an extension agreement (previous agreement authorized by Resolution No. 262 of 2019) with B-Lann Equipment, 2288 5<sup>th</sup> Avenue, Troy, New York 12180, to provide semi-annual inspections of Kitchen Knight II fire suppression system at Countryside Adult Home, for an amount not to exceed One Thousand Four Hundred Twenty-Four Dollars and Ten Cents (\$1,424.10), for a term commencing January 1, 2021 and terminating December 31, 2022, in a form approved by the County Attorney, and be it further

RESOLVED, that should any additional repairs become necessary beyond the inspection services outlined above, such additional repairs shall be paid up to an amount not to exceed One Thousand Dollars (\$1,000) annually, 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. 317 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, HOGAN, BRUNO, FRASIER, MAGOWAN, McDEVITT AND SHEPLER**

**AUTHORIZING EXTENSION OF AGREEMENT WITH HUDSON HEADWATERS HEALTH NETWORK TO PROVIDE CLINICIAN SERVICES FOR COUNTRYSIDE ADULT HOME**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an extension agreement (previous agreement authorized by Resolution No. 116 of 2019) 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, 2021 and terminating December 31, 2022, in an amount not to exceed Thirty-Two Thousand Four Hundred Nine Dollars (\$32,409), 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. 318 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, HOGAN, BRUNO, FRASIER, MAGOWAN, MCDEVITT AND SHEPLER**

**AUTHORIZING EXTENSION OF AGREEMENT WITH ACTION SEPTIC SERVICE TO PROVIDE INSPECTION, CLEANING AND REPAIR OF KITCHEN AND LAUNDRY SEWER LINES AND ANY OTHER ADDITIONAL SEWER LINES AT COUNTRYSIDE ADULT HOME**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an extension agreement (previous contract authorized by Resolution No. 554 of 2019) with Action Septic Service, P.O. Box 1430, South Glens Falls, New York 12803, to provide inspection, cleaning and repair of kitchen and laundry sewer lines and any other additional sewer lines at Countryside Adult Home and to also provide semi-annual inspections of sewer lines, in an amount not to exceed Two Thousand Dollars (\$2,000), for a term commencing January 1, 2021 and terminating December 31, 2021, 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. 319 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, HOGAN, BRUNO, FRASIER, MAGOWAN, McDEVITT AND SHEPLER**

### **ADOPTING OVERTIME FOR MANDATORY COVID-19 TESTING POLICY FOR COUNTRYSIDE ADULT HOME**

WHEREAS, the New York State Department of Labor specifically addressed the obligation of facilities to pay employees for travel time and the time it takes to have the COVID-19 test administered, and

WHEREAS, the Human Services Committee has reviewed the policy and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the proposed Overtime for Mandatory COVID-19 Testing Policy for Countryside Adult Home, annexed hereto as Schedule "A," be and the same is hereby adopted as the official policy for Warren County.

**Schedule "A"**

**Overtime for Mandatory COVID-19 Testing Policy for  
Countryside Adult Home**

**POLICY:**

Countryside Adult Home employees shall be entitled to 1 hour of overtime when mandatory testing is scheduled outside of the employee's scheduled shift.

**PROCEDURE:**

Employees of the Countryside Adult Home will adhere to Executive Order 202.30. Mandatory COVID-19 testing for all employees, contract staff, medical staff, administrators, and operators will adhere to the testing scheduled, as advised by the Director. Any employee not scheduled to work on a testing day will be paid 1 hour of overtime.

**RATIONALE:**

New York State Department of Labor specifically addressed the obligation of facilities to pay employees for travel time and the time it takes to have the test administered. Travel time, testing time frame and similar Countryside policies, were taken into consideration when developing this plan.

# Warren County Board of Supervisors

## RESOLUTION NO. 320 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, STROUGH, BRAYMER, BRUNO, FRASIER, GERAGHTY, LEGGETT AND SEEBER**

**AMENDING RESOLUTION NO. 221 OF 2020, AMENDING RESOLUTION NO. 49 OF 2020 TO MAKE CORRECTIONS TO EVENT DATES AND INDICATE EVENTS THAT HAVE BEEN CANCELLED FOR 2020, TO REDUCE THE AWARD TO IMPROV RECORDS FOR 2020**

WHEREAS, Resolution No. 49 of 2020 authorized agreements with various applicants for the disbursement of 2020 Occupancy Tax Revenues, and

WHEREAS, Resolution No. 221 of 2020 amended Resolution No. 49 of 2020 to make corrections to event dates and indicate those cancelled for 2020, and

WHEREAS, pursuant to Resolution No. 221 of 2020, the Warren County Board of Supervisors authorized the Chairman of the Board of Supervisors to execute an Agreement with Improv Records, wherein the County would provide funding in a total amount not to exceed Twenty-Five Thousand Dollars (\$25,000) for the year 2020, and

WHEREAS, the Occupancy Tax Coordination Committee has approved a request to reduce the total amount of the Agreement to Eighteen Thousand Dollars (\$18,000) for the year 2020, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes a reduction in the amount of the funding awarded to Improve Records from Twenty-Five Thousand Dollars (\$25,000) to Eighteen Thousand Dollars (\$18,000), as reflected in the attached "Schedule A", and authorizes the Chairman of the Board of Supervisors to execute an agreement with Improv Records, in the reduced amount for the year 2020, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 221 of 2020 will remain the same.

Schedule A

2020 Occupancy Tax Awards

	APPLICANT	EVENT	DATE	AMOUNT OF AWARD
1	Adirondack Festivals, LLC	6 <sup>th</sup> Annual Adirondack Wine & Food Festival	9/26/20 - 9/27/20	\$ 35,000.00
2	Adirondack Hot Air Balloon Festival, Inc.	Balloon Festival	9/17/20-9/20/20 <b>Cancelled</b>	
3	Adirondack Sports Complex, LLC	ADKSC Softball Tournaments	1/1/20-12/20/20	\$ 40,000.00
4	Albany Rods & Kustoms, Inc.	32 <sup>nd</sup> Adirondack Nationals Car Show	9/10/20-9/13/20 <b>Cancelled</b>	
5	Americade	Americade	7/21/20-7/25/20	\$ 50,000.00
6	Greater Glens Falls Amateur Athletic Champ. Assoc.	NYSPHSAA Boys Basketball	3/20/20-3/22/20 <b>Cancelled</b>	
7	Lake George Winter Carnival	Lake George Winter Carnival	1/24/20 and weekends in Feb. 2020	\$ 35,000.00
8	North Creek Business Alliance	3 year Commitment for Shuttle Bus	2020	\$ 12,500.00
9	Warren County Safe & Quality Biking Organization	Promotion of Bicycling	2020	\$ 5,000.00
10	Warrensburg Bike Rally	20 <sup>th</sup> Warrensburg Bike Rally	<b>Cancelled</b>	
11	Warrensburg Chamber of Commerce	41 <sup>st</sup> Annual World's Largest Garage Sale	10/2/20-10/4/20 <b>Cancelled</b>	

**RESOLUTION NO. 320 OF 2020**

**PAGE 3 OF 3**

12	Americade	Block Party	7/21/20- 7/25/20 <b>Cancelled</b>	
13	Hyde Collection	Marketing and Publications	2020	\$ 15,000.00
14	Improv Records, Inc.	Adirondack Independence Music Festival	9/4/20- 9/6/20	\$ 18,000.00
15	Iroquois Empire Regional Volleyball Association	IREVA Junior Regional Championships	5/2/20- 5/3/20 <b>Cancelled</b>	
16	PrimeTime Lacrosse	2020 LG National Invitational - Lacrosse	8/1/20- 8/2/20 & 8/3/20- 8/4/20 <b>Cancelled</b>	
17	Adirondack Race Management	Lake George Triathlon Festival	9/5/20- 9/6/20 <b>Cancelled</b>	
18	Adirondack Folk School	2020 Christkindlmarkt	12/4/20- 12/6/20 <b>Cancelled</b>	
	<b>TOTAL</b>			<b>\$210,000.00</b>

# Warren County Board of Supervisors

## RESOLUTION NO. 321 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, STROUGH, BRAYMER, BRUNO, FRASIER, GERAGHTY, LEGGETT AND SEEBER**

**AMENDING RESOLUTION NO. 50 OF 2020, APPROVING THE 2020 OCCUPANCY TAX SPENDING PLAN AND AUTHORIZING AGREEMENTS BETWEEN MUNICIPALITIES IN WARREN COUNTY AND OTHER ORGANIZATIONS FOR TOURISM PROMOTION AND TOURIST AND CONVENTION DEVELOPMENT SERVICES, TO ELIMINATE FUNDING TO VARIOUS MUNICIPALITIES AND TERMINATE AGREEMENTS BETWEEN MUNICIPALITIES AND WARREN COUNTY FOR TOURISM PROMOTION AND TOURIST AND CONVENTION DEVELOPMENT SERVICES**

WHEREAS, pursuant to Resolution No. 50 of 2020, the Warren County Board of Supervisors authorized the Chairman of the Board of Supervisors to execute agreements providing funds for various municipalities in Warren County, as approved in the 2020 Occupancy Tax Spending Plan for tourism promotion and tourist and convention development services, and

WHEREAS, the Occupancy Tax Coordination Committee has suggested amending the 2020 Occupancy Tax Spending Plan to eliminate funds given to various municipalities in Warren County and terminate agreements with the municipalities, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby amends the 2020 Occupancy Tax Spending Plan, as outlined in the attached "Schedule A", to eliminate funds given to various municipalities in Warren County and authorizes the Chairman of the Board of Supervisors to nullify agreements with the municipalities for tourism promotion and tourist and convention development services, in a form approved by the County Attorney, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 50 of 2020 will remain the same, specifically the funds allocated to County Event Funding and the Lake George Convention & Visitors Bureau (amended by Resolution No. 259 of 2020 to reduce funds allocated to \$400,000).

**RESOLUTION No. 321 OF 2020**

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Schedule A

**2020 Occupancy Tax Spending Plan**

Lake George	\$145,000 \$0	(Combined Town and Village allocation)
Bolton	\$ 55,000 \$0	
Queensbury	\$ 55,000 \$0	
Towns & City of Glens Falls	\$112,500 \$0	\$12,500 each of the eight remaining towns & City of Glens Falls
County Event Funding	\$425,750	Remaining County event funding for major regional activities only
Lake George Convention & Visitors Bureau	\$400,000	

# Warren County Board of Supervisors

## RESOLUTION NO. 322 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

### **APPOINTING MEMBERS OF WARREN COUNTY FIRE ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES**

WHEREAS, the terms of the current members of the Warren County Fire Advisory Board expired on April 30, 2020 and Brian LaFlure, Fire Coordinator/Director of the Warren County Office of Emergency Services, has made recommendations for the appointment of members to commence retroactive to May 1, 2020 and expire April 30, 2021, now, therefore, be it

RESOLVED, that pursuant to the recommendations of Brian LaFlure, Fire Coordinator/Director of the Warren County Office of Emergency Services, the following persons be, and hereby are, appointed as members of the Warren County Fire Advisory Board for the term requested:

**NAME**

**FIRE DEPARTMENT**

Chief John Harrington

So. Queensbury Fire Department

Assistant Chief Bill Gourley

Hague Fire Department

Chief Jeff Dailey

West Glens Falls Fire Department

Chief Richard Jones

Queensbury Central Fire Department

Chief Jamie Ellis

Luzerne-Hadley Fire Department

Chief Scott Smith

Lake George Fire Department

Chief Scott Hayes

Horicon Fire Department

Chief Pete Carr

North Queensbury Fire Department

Assistant Chief Pat Mellon

Bay Ridge Fire Company

Chief Fred Comstock

Garnet Lake Fire Department

Chief Daren Harvey

Chestertown Fire Department

# Warren County Board of Supervisors

## RESOLUTION NO. 323 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

### **APPOINTING MEMBERS OF WARREN COUNTY EMS ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES**

WHEREAS, the terms of the current members of the Warren County EMS Advisory Board expired on April 30, 2020 and Brian LaFlure, Fire Coordinator/Director of the Warren County Office of Emergency Services, has made recommendations for the appointment of members to commence retroactive to May 1, 2020 and expire April 30, 2021, now, therefore, be it

RESOLVED, that pursuant to the recommendations of Brian LaFlure, Fire Coordinator/Director of the Warren County Office of Emergency Services, the following persons be, and hereby are, appointed as members of the Warren County EMS Advisory Board for the term requested:

**NAME**

**EMS DEPARTMENT**

Micki Guy	EMS Coordinator
Patrick Mellon	1 <sup>st</sup> Deputy Coordinator
Travis Howe	2 <sup>nd</sup> Deputy Coordinator
Jack Tims	3 <sup>rd</sup> Deputy Coordinator
Laura Stebbins	Director of Emergency Preparedness
Ginelle Jones	Director of Public Health
Brian LaFlure	Director of OES
Jacob Benson	Bay Ridge EMS Department
Earl Mikoloski	Bolton EMS Department
Eric Catalfamo	Empire EMS Department
Jamie Schrammel	Glens Falls EMS Department
Margaret Haskell	Hague EMS Department
Kevin Fusco	Johnsburg EMS Department
Chris Hawley	Lake George EMS Department
Scott Stone	Lake Luzerne EMS Department
Cameron Dubay	Minerva EMS Department
Doug Wildermuth	North Queensbury EMS Department
Issachor Modert	North Warren EMS Department
Peter LaGrasse	Stony Creek EMS Department
Michael Watts	Warrensburg EMS Department
Mark DeSimone	West Glens Falls EMS Department

# Warren County Board of Supervisors

## RESOLUTION NO. 324 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING AGREEMENT WITH BLACK LASER LEARNING, INC. TO PROVIDE SIDE SCAN SONAR TRAINING TO MEMBERS OF THE WARREN COUNTY MARINE RESCUE TEAM FOR THE OFFICE OF EMERGENCY SERVICES**

RESOLVED, that the Warren County Board of Supervisors authorizes the Chairman of the Board of Supervisors to execute an agreement with Black Laser Learning, Inc., P.O. Box 339, Hockessin, Delaware 19707, to provide side scan sonar training to members of the Warren County Marine Rescue Team, in an amount not to exceed Four Thousand Nine Hundred Dollars (\$4,900), for a term commencing upon execution by both parties and terminating upon completion of services, in form approved by the County Attorney and be it further

RESOLVED, that the funds shall be expended from Budget Code A.3645.4108 470 Homeland Security, FY19 State Homeland Security Program, Contract.

# Warren County Board of Supervisors

## RESOLUTION NO. 325 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING INFORMATION SHARING ACCESS AGREEMENT BETWEEN WARREN COUNTY AND THE DEPARTMENT OF HOMELAND SECURITY/FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA), FEDERAL INSURANCE AND MITIGATION ADMINISTRATION (FIMA) TO ACCESS THE NATIONAL FLOOD INSURANCE PROGRAM POLICY USED FOR THE HAZARD MITIGATION PLAN**

WHEREAS, the Director of the Office of Emergency Services has requested a information sharing access agreement with the Department of Homeland Security/Federal Emergency Management Agency, Federal Insurance and Mitigation Administration to access the National Insurance Program policy and/or claims information for the purpose of updating the Warren County Multi-Jurisdictional Hazard Mitigation Plan, at no cost to the County, for a term commencing upon execution by both parties and terminating three (3) years from date of execution, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an information sharing access agreement with the Department of Homeland Security/Federal Emergency Management Agency, Federal Insurance and Mitigation Administration to access the National Flood Insurance Program policy and/or claims information for the purpose of updating the Warren County Multi-Jurisdictional Hazard Mitigation Plan, at no cost to the County, for a term commencing upon execution by both parties and terminating three (3) years from date of execution, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 326 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

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

WHEREAS, the Queensbury Union Free School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning two School Resource Officers to be shared amongst the four schools located within the Queensbury School District, and

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

WHEREAS, the school has agreed to pay the County an amount not to exceed Eighty-Seven Thousand Dollars (\$87,000) per school year for two School Resource Officers to be assigned to the four schools located within the Queensbury Union Free School District, for a term commencing upon execution of the agreement by both parties and terminating upon completion of the 2020-2021 school year, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with the Queensbury Union Free School District, 429 Aviation Road, Queensbury, New York 12804 to provide law enforcement services by assigning two School Resource Officers to be shared amongst the four schools located in the Queensbury School District during normal school hours throughout the school calendar year and for such other events as may be requested by the School District for an amount not to exceed Eighty-Seven Thousand Dollars (\$87,000) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and terminating upon completion of the 2020-2021 school year, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 327 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEGER AND SHEPLER**

**AUTHORIZING AN AGREEMENT WITH THE LAKE GEORGE CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE LAKE GEORGE CENTRAL SCHOOL DISTRICT**

WHEREAS, the Lake George Central School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning one School Resource Officer at the Lake George Elementary School and another at the Lake George Jr.-Sr. High School, and

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

WHEREAS, the School has agreed to pay the County an amount not to exceed Sixty-Seven Thousand Dollars (\$67,000) per school year for such School Resource Officers to be assigned to each of the two schools in the Lake George Central School District, for a term commencing upon execution of the agreement by both parties and terminating upon completion of the 2020-2021 school year, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with the Lake George Central School District, 381 Canada Street, Lake George, New York 12845 to provide law enforcement services during normal school hours throughout the school calendar year and for such other events as may be requested by the School District for an amount not to exceed Sixty-Seven Thousand Dollars (\$67,000) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and terminating upon completion of the 2020-2021 school year, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 328 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING AN AGREEMENT WITH THE HADLEY-LUZERNE CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES WITHIN THE HADLEY-LUZERNE CENTRAL SCHOOL DISTRICT**

WHEREAS, the Hadley-Luzerne Central School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning one School Resource Officer at the Stuart M. Townsend Elementary School and another at the Hadley-Luzerne Junior/Senior High School, and

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

WHEREAS, the School has agreed to pay the County an amount not to exceed Eighty-Seven Thousand Dollars (\$87,000) per school year for such School Resource Officers to be assigned to each of the two schools in the Hadley-Luzerne Central School District, for a term commencing upon execution of the agreement by both parties and terminating upon completion of the 2020-2021 school year, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with the Hadley-Luzerne Central School District, 273 Lake Avenue, Lake Luzerne, New York 12846 to provide law enforcement services during normal school hours throughout the school calendar year and for such other events as may be requested by the School District for an amount not to exceed Eighty-Seven Thousand Dollars (\$87,000) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and terminating upon completion of the 2020-2021 school year, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 329 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING AN AGREEMENT WITH THE NORTH WARREN CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE NORTH WARREN CENTRAL SCHOOL**

WHEREAS, the North Warren Central School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning a School Resource Officer at the North Warren Central School, and

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

WHEREAS, the School has agreed to pay the County an amount not to exceed Thirty Thousand Dollars (\$30,000) per school year for such School Resource Officer to be assigned to the North Warren Central School, for a term commencing upon execution of the agreement by both parties and terminating upon completion of the 2020-2021 school year, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with the North Warren Central School District, 6110 State Route 8, Chestertown, New York 12817 to provide law enforcement services during normal school hours throughout the school calendar year and for such other events as may be requested by the School District for an amount not to exceed Thirty Thousand Dollars (\$30,000) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and terminating upon completion of the 2020-2021 school year, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 330 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING AN AGREEMENT WITH THE BOLTON CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE BOLTON CENTRAL SCHOOL**

WHEREAS, the Bolton Central School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning a School Resource Officer at the Bolton Central School, and

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

WHEREAS, the School has agreed to pay the County an amount not to exceed Thirty-Three Thousand Five Hundred Dollars (\$33,500) per school year for such School Resource Officer to be assigned to the Bolton Central School, for a term commencing upon execution of the agreement by both parties and terminating upon completion of the 2020-2021 school year, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with the Bolton Central School District, 26 Horicon Avenue, Bolton Landing, New York 12814 to provide law enforcement services during normal school hours throughout the school calendar year and for such other events as may be requested by the School District for an amount not to exceed Thirty-Three Thousand Five Hundred Dollars (\$33,500) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and terminating upon completion of the 2020-2021 school year, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 331 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING AN AGREEMENT WITH THE JOHNSBURG CENTRAL SCHOOL DISTRICT FOR THE WARREN COUNTY SHERIFF'S OFFICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE JOHNSBURG CENTRAL SCHOOL DISTRICT**

WHEREAS, the Johnsburg Central School District ("School") has requested that the Warren County Sheriff provide law enforcement services by assigning a School Resource Officer at the Johnsburg Central School, and

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

WHEREAS, the school has agreed to pay the County an amount not to exceed Thirty-Three Thousand Five Hundred Dollars (\$33,500) per school year for such School Resource Officer to be assigned to the Johnsburg Central School, for a term commencing upon execution of the agreement by both parties and terminating upon completion of the 2020-2021 school year, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to enter into an agreement with the Johnsburg Central School District, 165 Main Street, North Creek, New York 12853, to provide law enforcement services during normal school hours throughout the school calendar year and for such other events as may be requested by the School District for an amount not to exceed Thirty-Three Thousand Five Hundred Dollars (\$33,500) per school year with the School providing liability insurance and indemnification of Warren County, commencing upon execution by both parties and terminating upon completion of the 2020-2021 school year, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 332 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SIMPSON, BRAYMER, DIAMOND, DRISCOLL, SEEBER AND SHEPLER**

**AUTHORIZING CONTINUATION OF THE AGREEMENT WITH NEMER FORD AS PROPRIETARY DEALER ONLY FOR REPAIRS OF VARIOUS FORD MAKES AND MODELS FOR THE WARREN COUNTY SHERIFF'S OFFICE**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an extension agreement (the previous contract being authorized by Resolution No. 378 of 2019) with Nemer Ford, 323 Quaker Road, Queensbury, New York 12804, for proprietary dealer only repairs for various Ford makes and models for the Warren County Sheriff's Office, for an amount not to exceed Five Thousand Dollars (\$5,000), for a term commencing October 1, 2020 and terminating September 30, 2021, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.3110 441 Sheriff's Law Enforcement, Auto-Supplies & Repair.

# Warren County Board of Supervisors

## RESOLUTION NO. 333 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, HOGAN, LEGGETT, BRAYMER, BRUNO, MAGOWAN, MERLINO, STROUGH AND WILD**

**ACCEPTING DONATION OF A VIEWING SCOPE TO BE INSTALLED AT UP YONDA FARM FROM THE FRIENDS OF UP YONDA AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SEND A LETTER OF APPRECIATION**

RESOLVED, that Warren County, on behalf of Up Yonda Farm, accepts the donation of a viewing scope from The Friends of Up Yonda, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, be, and hereby is, authorized to execute and send a letter of gratitude and appreciation to The Friends of Up Yonda on behalf of the Warren County Board of Supervisors.

# Warren County Board of Supervisors

## RESOLUTION NO. 334 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, HOGAN, LEGGETT, BRAYMER, BRUNO, MAGOWAN, MERLINO, STROUGH AND WILD**

**ACCEPTING STATIONARY BRINE MAKING UNIT FROM THE FUND FOR LAKE GEORGE AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SEND A LETTER OF APPRECIATION**

RESOLVED, that Warren County accepts the stationary brine making unit from The Fund for Lake George, and be it further

RESOLVED, that the Chairman of the Board of Supervisors, be, and hereby is, authorized to execute and send a letter of gratitude and appreciation to The Fund for Lake George on behalf of the Warren County Board of Supervisors.

# Warren County Board of Supervisors

## RESOLUTION No. 335 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD

### AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2020

RESOLVED, that the Tables of Organization and the Warren County Salary and Compensation Plan for 2020 are hereby amended as follows:

#### ASSIGNED COUNSEL

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
A.1170 130		
<u>TITLE:</u> Grant Manager - Part Time	September 21, 2020	\$20.00 per hour <i>not to exceed \$5,200 annually</i>

<u>Deleting Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
A.1170 130		
<u>TITLE:</u> Grant Administrator - Part Time	September 21, 2020	\$20.00 per hour <i>not to exceed \$5,200 annually</i>

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
A.1170 130		
<u>TITLE:</u> Clerk (Part Time) #2	September 21, 2020	\$13.19 per hour Grade 2 <i>not to exceed \$13,719 annually</i>

#### HEALTH SERVICES

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
A.4193 110		
<u>TITLE:</u> Registered Professional Nurse #40	September 21, 2020	\$47,523 Grade 19

#### SHERIFF

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
A.3150 110		
<u>TITLE:</u> Cook - Per Diem	September 21, 2020	\$18.0673 per hour

*RESOLUTION No. 335 OF 2020*

*PAGE 2 OF 2*

**DEPARTMENT OF  
PUBLIC WORKS**

Creating Position of:  
D.5020 110

TITLE:  
Construction Specialist I

EFFECTIVE DATE

October 1, 2020

ANNUAL SALARY

\$65,566

Deleting Position of:  
D.5020 110

TITLE:  
Environmental Analyst

EFFECTIVE DATE

October 1, 2020

ANNUAL SALARY

\$40,954  
Grade 14

Deleting Position of:  
D.5020 110

TITLE:  
Senior Engineering Technician

EFFECTIVE DATE

October 1, 2020

ANNUAL SALARY

\$38,818  
Grade 12

# Warren County Board of Supervisors

## RESOLUTION NO. 336 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD**

**AUTHORIZING RENEWAL OF AGREEMENT WITH GLENS FALLS HOSPITAL FOR AUTOPSY SERVICES AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN A LETTER OF AGREEMENT WITH GLENS FALLS HOSPITAL FOR SAME**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute a renewal agreement (previous agreement authorized by Resolution No. 320 of 2019) with Glens Falls Hospital, 100 Park Street, Glens Falls, New York 12801, for autopsy services, as outlined in the attached Schedule "A," for a term commencing January 1, 2021 and terminating December 31, 2021 with annual renewals to occur automatically, provided there are no changes to the fee schedule, in a form approved by the County Attorney, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to sign a letter of agreement with Glens Falls Hospital for autopsy services, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1185 435 Medical Examiners & Coroners, Medical Fees.

**RESOLUTION No. 336 OF 2020**

**PAGE 2 OF 2**

**SCHEDULE "A"**

**Glens Falls Hospital  
Morgue and Laboratory Fee Schedule  
Effective January 1, 2021 - December 31, 2021**

Morgue Facility Use <i>(includes onsite histology and microbiology)</i>	\$1,200 per case
Histology or laboratory services requested but not performed at Glens Falls Hospital <i>(does not include ANY toxicology services)</i>	Billed at Glens Falls Hospital's cost plus a \$25 handling fee
Other laboratory tests performed on site at Glens Falls Hospital <i>(e.g. HIV serology, molecular testing, chemistry procedures)</i>	50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service
Microbiology only <i>(without morgue facility use)</i>	50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service
Radiology fee - hospital technical fee	50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service
Radiologist professional fee <i>(to be included in base fee)</i>	
Toxicology services will be the sole responsibility of the County to contract for testing services at an outside lab	

# Warren County Board of Supervisors

## RESOLUTION NO. 337 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD**

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

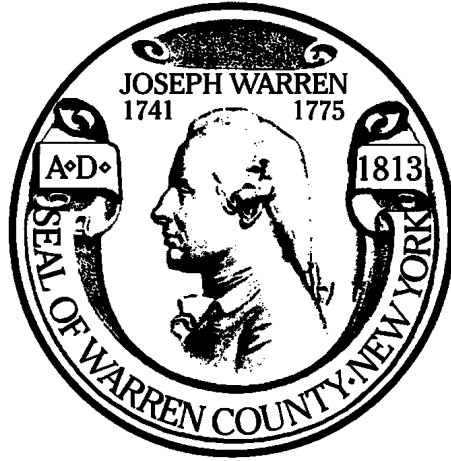
WHEREAS, New York State Labor Law Section 27(b), as amended by the 2006 New York State Legislature, requires that public employers are to evaluate the safety of their workplace and implement workplace safety training for all employees, and

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, 237 of 2017 and 136 of 2019, and

WHEREAS, the County Administrator has proposed additional revisions to the workplace violence program which were presented to the Personnel & Administration Committee who approved the changes and has recommend that the same be advanced 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 Personnel & Administration 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.

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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 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.

**The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party. Findings of wrongdoing resulting from such investigation will be reported to the Personnel Committee in executive session within sixty (60) days, provided no delay to allow for law enforcement investigation is 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. 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)* \_\_\_\_\_

\_\_\_\_\_

**Follow-up Information:**

Did this incident cause lost workdays? \_\_\_\_\_ If so, how many? \_\_\_\_\_

What action did department head take? When (dates) and by whom? \_\_\_\_\_

\_\_\_\_\_

~~Have you had any counseling or any form of emotional support since the incident? If not, would you like to be afforded this?~~ \_\_\_\_\_

\_\_\_\_\_

As you see it, does something need to be done to avoid such an incident from happening again? If so, explain. \_\_\_\_\_

\_\_\_\_\_

Did the police respond? \_\_\_\_\_ If so, what agency? \_\_\_\_\_

Police Officers Name: \_\_\_\_\_ Incident # \_\_\_\_\_

*Attach police report if available*

\_\_\_\_\_

Signature of person completing report \_\_\_\_\_ Date \_\_\_\_\_

Give this report to your immediate supervisor as soon as possible.

.....

Supervisor Review & Comment: \_\_\_\_\_

\_\_\_\_\_

Initial: \_\_\_\_\_ Date: \_\_\_\_\_

Actions taken to prevent further violent acts of similar nature: \_\_\_\_\_

\_\_\_\_\_

Was the employee offered assistance through the Employee Assistance Program? \_\_\_\_\_

**RESOLUTION NO. 337 OF 2020**

**PAGE 24 OF 24**

Department Head Review & Comment: \_\_\_\_\_

\_\_\_\_\_ Initial: \_\_\_\_\_ Date: \_\_\_\_\_

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Initial: \_\_\_\_\_ Date: \_\_\_\_\_

.....

Distribution (via hard copy, fax OR email):  Original to Department Head  
 Copy to County Administrator  Copy to Self-Insurance  Copy to County Attorney

# Warren County Board of Supervisors

## RESOLUTION No. 338 OF 2020

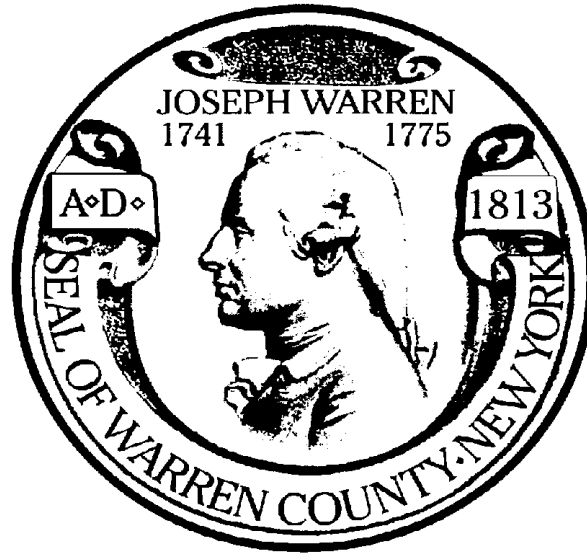
**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD**

**APPROVING THE WARREN COUNTY POLICY AGAINST DISCRIMINATION AND HARASSMENT WHICH REPLACES THE WARREN COUNTY PLAN AND PROGRAM ON WORKPLACE HARASSMENT**

WHEREAS, a Policy Against Discrimination and Harassment for Warren County has been developed which Policy includes updated New York State mandates including the definition of workplace harassment, the prohibition of workplace harassment and a process for reporting and investigating workplace harassment complaints, and

WHEREAS, the Policy Against Discrimination and Harassment will replace the Warren County Policy against Discrimination and Harassment previously approved by Resolution No. 76 of 2019, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the Warren County Policy Against Discrimination and Harassment as attached hereto to be effective September 18, 2020.



**WARREN COUNTY**

**POLICY AGAINST**

**DISCRIMINATION AND HARASSMENT**

Adopted by Resolution # \_\_\_ of 2020

## WARREN COUNTY POLICY AGAINST DISCRIMINATION AND HARASSMENT

### SECTION 1: PURPOSE

Warren County believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, Warren County, (hereinafter “County”), is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subject to harassment or discrimination in the workplace. It is our County’s policy to provide an employment environment free from harassment for any reason and discrimination based on race, color, gender, religion, religious creed, sex, familial or marital status, age, national origin or ancestry, physical or mental disability, genetic information/predisposition or carrier status, military or veteran status, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, pregnancy (including childbirth and related medical conditions, and including medical conditions related to lactation), citizenship, domestic violence victim status or any other characteristic protected by applicable federal, state or local law.

A. **Scope of Policy** This Policy applies to all County employees and all personnel in a contractual or other business relationship with the County including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, volunteers or visitors. In the remainder of this Policy, the term “employees” refers to this collective group. This Policy applies with equal force on County property as well as at County-sponsored events, programs, and activities that take place off County premises.

B. **Policy Objectives** By adopting and publishing this Policy, it is the intention of the County’s governing body to:

- (1) Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy;
- (2) Inform employees about the complaint procedures that enable any employee who believes they are the victim of harassment or discrimination to submit a complaint which will be investigated;
- (3) Clearly advise all supervisory staff, managers, and employees that harassment and discrimination is strictly prohibited; and
- (4) Notify all employees that the County has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.

NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints are listed below in Section 11 of this Policy. Any change in the designated Compliance Officers shall be distributed in writing to all current employees and shall be posted.

**SECTION 2: DEFINITIONS**

**“Prohibited Discrimination of Employees”**

Prohibited discrimination of employees can take the form of any adverse employment action against an employee, by either a County employee or official or a third party engaged in activities sponsored by the County which is based upon the employee’s protected characteristic. Prohibited discrimination of employees also includes harassment even where there is no tangible impact upon the employee’s employment opportunities and/or employment benefits. The phrase “prohibited discrimination” as used in this Policy includes all forms of prohibited discrimination and harassment based on a protected characteristic, including “Sexual Harassment” as defined below.

**“Harassment”**

Harassment is strictly prohibited and includes, but is not limited to, conduct that is unwelcome and has the purpose or effect of unreasonably interfering with a person’s work performance, or creating an intimidating, hostile or offensive working environment. In this regard, individuals subject to this Policy should be mindful that conduct or behavior that is acceptable, amusing or inoffensive to some individuals may be viewed as unwelcome, abusive or offensive to others.

**“Sexual Harassment”**

Sexual harassment is strictly prohibited. It is a form of sex discrimination and is unlawful under federal, and state law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- (2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
- (3) Such gender-based conduct has the purpose or effect of unreasonably interfering with an individual’s work performance, or of creating an intimidating, hostile or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment.

This includes offensive comments, jokes, innuendoes or other statements of a sexual or gender-based nature as well as favoritism between a supervisor and subordinate based on an intimate/sexual relationship or desire for the same.

**Who can be the target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

**Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment even if they occur away from the workplace premises, on personal devices or during non-work hours.

**“Prohibited Behavior and Examples of Harassment, including Sexual Harassment”**

Specific forms of behavior the County considers harassment or sexual harassment are set forth below. Every conceivable example cannot be spelled out, and therefore the descriptions below should not be interpreted in any way as being all-inclusive.

- **Verbal:** Abusive verbal language including jokes, comments, teasing or threats related to an employee’s protected characteristic, sexual activity and/or body parts whether or not said in that person’s presence including, but not limited to: sexual innuendos; slurs; suggestive, derogatory, or insulting comments or sounds; whistling; jokes; propositions; threats; comments on a person’s appearance that make the person feel uncomfortable; sex stereotyping, continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; comments about an employee’s anatomy or protected characteristic that are unwelcome, unreasonably interfere with an employee’s work performance, or create an intimidating, hostile or offensive work environment; or unwelcome advances or demands based on someone’s protected characteristic.
- **Nonverbal:** Abusive written language showing or displaying pornographic or sexually explicit objects or pictures; graphic commentaries; derogatory cartoons or caricatures; obscene gestures; staring at a person’s body in a sexually suggestive manner; gestures or motions; sending material through the County e-mail system or other electronic communication devices (e.g. voice mail) or using the County’s mail, computers or cell phones to view material that is demeaning or derogatory.
- **Physical:** Unwelcome physical conduct, including but not limited to hitting, pushing, shoving, slapping, petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, rape or assault or attempts to commit these assaults, persistent brushing up against a person’s body, unnecessary touching and flashing or other unwelcome physical conduct.
- **Other:** Hostile actions taken against an individual such as: interfering with, destroying or damaging a person’s workstation, tools, or equipment, or otherwise interfering with the individual’s ability to

perform the job; sabotaging an individual's work; bullying; yelling; or name-calling.

Any employee who feels discriminated against or harassed should report that conduct so that any violation of this Policy can be corrected promptly. Any harassing conduct, even if a single incident, can be addressed under this Policy.

**SECTION 3: POLICY**

The County prohibits harassment and discrimination for any reason and will not tolerate any form of unlawful discrimination or harassment. The County will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment, including sexual harassment, in the workplace.

All employees, including but not limited to, County officials and supervisory personnel, are responsible for ensuring a work environment free from harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of harassment or discrimination. Employees are encouraged to report violations to a supervisor, manager, or one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy. Officials, managers and supervisors must take immediate and appropriate corrective action when suspected instances of harassment and/or discrimination come to their attention to assure compliance with this Policy as well as report the suspected misconduct to the Municipality's designated Compliance Officers. Furthermore, if any employee believes that any member of management has violated this policy or has not properly responded to and/or handled a report or concerns about discrimination or harassment, the employee should immediately contact one of the designated Compliance Officers.

Each employee is assured pursuant to *Section 6* of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy. Employees who engage in retaliation against any employee for making a good faith complaint of harassment or discrimination, or for opposing in good faith any practices forbidden by applicable anti-discrimination laws or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws, shall be subject to discipline, up to and including termination of employment. Any employee who believes he/she has been retaliated against in violation of this policy should report violations to one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in *Section 11* of this Policy.

**SECTION 4: POLICY ENFORCEMENT**

**A. Complaint Procedure for Employees**

**1. Notification Procedure**

Prompt reporting of complaints or concerns is encouraged so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is encouraged and essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of harassment or discrimination should contact his or her supervisor, Department Head or a Compliance Officer. Likewise, anyone who witnesses or becomes aware of instances of harassment or discrimination should report such behavior to his or her supervisor, Department Head or a Compliance Officer.

**2. Making a Complaint**

Complaints are accepted verbally and in writing. All employees are encouraged to use the County's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy. Additional complaint forms can be obtained from a Compliance Officer, with no questions asked, or from the Human Resources section of the Warren County website. Because an accurate record is necessary to resolve a complaint, the County encourages employees to place complaints in writing, even if originally made verbally. If an employee has any questions or difficulty filling out the complaint form, she/he can obtain assistance from any of the Compliance Officers or the supervisor to which he/she complained. All complaints should include: the name of the reporting party, the name of the alleged offender(s), date(s) of the incident(s), description of the incident(s), names of witnesses to the incident(s) and the signature of the reporting party.

Once the reporting party has completed and dated a complaint, the written complaint, or verbal complaint as the case may be, should be promptly forwarded to one of the County's Compliance Officers.

Reporters are expected to cooperate with the County's investigation procedures by providing all relevant information relating to the complaint, as are all other employees having relevant or related knowledge or information.

**3. Supervisory Responsibilities**

All supervisors and Department Heads who receive a complaint or information about suspected harassment or discrimination, observe what may be harassing behavior, or have any reason to suspect that harassment is occurring, are required to report such suspected harassment or discrimination to one of the Compliance Officers.

In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment or otherwise knowingly allowing harassment to continue.

Supervisors and managers will also be subjected to discipline for engaging in any retaliation.

**B. Time for Reporting a Complaint**

Prompt reporting of all complaints is strongly encouraged. All employees should be aware that appropriate resolution of complaints and effective remedial action is only possible when complaints are promptly filed.

**C. Confidentiality and Privacy**

The County shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees. To the extent complaints made under this Policy implicate criminal conduct, the County may be required by law to contact and cooperate with the appropriate law enforcement authorities.

**D. Acknowledgement of Complaint**

Upon receipt of a verbal or written complaint, the Compliance Officer should contact the reporter

to confirm that the complaint has been received. If the reporter does not receive such confirmation promptly, she/he is encouraged to contact a Compliance Officer or his/her supervisor or the supervisor to whom the complaint was made to ensure its receipt. The purpose of this acknowledgment procedure is to ensure that all complaints are received by authorized individuals, carefully processed and promptly investigated.

**SECTION 5: INVESTIGATION PROCEDURES**

**A. Timing of Investigations**

The County will promptly investigate all allegations of discrimination and harassment prohibited by this Policy. The length of the investigation will depend upon the complexity and particular circumstances of each complaint.

**B. Method of Investigation**

Investigations will be conducted by Compliance Officers, County's legal counsel, and/or other impartial persons designated by the Compliance Officers. The primary purposes of all investigations under this Policy will be to determine:

- Did the conduct complained of occur;
- Did the conduct complained of violate this Policy; and
- What remedial measures or preventative steps, if any, shall be taken.

Investigations will necessarily vary from case to case and may typically include the following: fact-finding interviews, including of the accuser and the accused; document request, review and preservation; depositions; and observations or other reasonable methods. Investigators should pursue reasonable steps to investigate each complaint in a thorough and comprehensive manner. Any notes, memoranda, or other records created while conducting an investigation under this Policy shall be deemed confidential and privileged to the extent allowed by law.

Investigators will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
- A list of names of those interviewed, along with a detailed summary of their statements;
- A timeline of events;
- A summary of prior relevant incidents, reported or unreported; and
- The basis for the decision and final resolution of the complaint, together with any remedial actions.

**C. Notification to Reporting Party, the Accused Party, and the Personnel Committee**

The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party. **Findings of wrongdoing resulting from such investigation will be reported to the Personnel Committee in executive session within sixty (60) days, provided no delay to allow for law enforcement investigation is necessary.**

**D. Remedial Measures**

This Policy is intended to prevent all forms of unlawful discrimination and harassment and put an end to any prohibited discrimination or harassment that is found to have occurred. While disciplinary action may be appropriate in certain instances, punitive measures are not the exclusive means for responding to prohibited discrimination or harassment. During any investigation being conducted pursuant to this Policy, remedial measures may be taken if appropriate and necessary.

Any individual who is found to have engaged in prohibited discrimination or harassment or conduct which may be prohibited by this Policy may receive education, training, counseling, warnings, discipline, or other measures designed to prevent future violations of this Policy. Disciplinary action may include: warnings, suspension, or discharge from employment or such disciplinary action as may be permitted by applicable collective bargaining agreements and law. Any third party found to have engaged in discrimination or harassment of an employee may be barred from County property.

**SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY**

Unlawful retaliation can be any action that could discourage an employee from coming forward to make a complaint or support a discrimination or harassment claim. Adverse action need not be job-related or occur in the workplace to constitute retaliation (e.g., threats of physical violence outside of work hours).

Retaliation against anyone for making a good faith complaint of harassment or discrimination, for opposing in good faith any practices forbidden by applicable anti-discrimination laws or for filing a good faith complaint with, or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws is strictly prohibited by this Policy and by law.

Even if the alleged harassment or discrimination turns out to be unfounded, the individual is protected from retaliation if he/she had a good faith belief that the practices were in violation of this policy. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment or discrimination.

Complaints of retaliation should be brought directly to a Compliance Officer. Such complaints will be promptly investigated. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship.

**SECTION 7: APPEALS**

Any complainant or accused party who wishes to appeal the conclusion which the County reached in investigating a complaint filed under this Policy, may do so within ten (10) calendar days of receipt of the notification of the investigation outcome. Untimely submissions may not receive consideration. Such appeals

must be made in writing to the Chair of the Personnel Committee. The appealing party shall be entitled to present evidence in writing as to why the conclusion was flawed, improper, or otherwise not supported by the evidence. The Personnel Committee's consideration and review of any such appeal shall be conducted confidentially in executive session. Following a review of that evidence, as well as the information obtained in the investigation process and conclusions derived therefrom, the Personnel Committee, or its designee, shall render a decision. That decision shall be final. The appealing party shall be notified of the decision in writing.

Nothing set forth in the Appeal Process above shall be construed to, in any way, confer upon either the complainant(s) or the person(s) accused of violating this Policy any right to appeal the Municipality's determination as to appropriate disciplinary and/or corrective action to be taken on meritorious complaints. In this regard, the Municipality at all times retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken with regard to a meritorious complaint.

**SECTION 8: RECORD KEEPING**

The County shall maintain a written record of all complaints of discrimination and/or harassment for a period of at least six years. The County shall also document the steps taken with regard to investigations, as well as conclusions reached and remedial action taken, if any. The County shall also maintain these documents for, at a minimum, six years.

The Municipality's records regarding alleged discrimination and harassment shall be maintained separate and apart from personnel records in a secure and confidential location.

**SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES**

Discrimination and harassment based on protected characteristics, including sexual harassment, are not only prohibited by the Municipality but are also prohibited by state, and federal law.

Aside from the internal process at the Municipality, employees may also choose to pursue legal remedies with the governmental entities referenced in the following laws.

In addition to those outlined below, employees in certain industries may have additional legal protections.

**State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment and harassment based on other protected characteristics set forth in this Policy, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged harassment, including sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Municipality does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual or other illegal harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual or other illegal harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees (in sex discrimination and sexual harassment cases only) and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the discrimination or harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

**Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact your local police department.

**SECTION 10: QUESTIONS**

Any questions by employees of the Municipality about this Policy or potential harassment or discrimination should be brought to the attention of one of the Compliance Officers. The names, addresses, and telephone numbers of the Compliance Officers are listed in *Section 11* of this Policy.

**SECTION 11: COMPLIANCE OFFICERS**

County Human Resources Director  
518-761-6482  
1<sup>st</sup> Floor, Municipal Center  
1340 State Route 9, Lake George, NY 12845

County Administrator  
518-761-6539  
2<sup>nd</sup> Floor, Municipal Center  
1340 State Route 9, Lake George, NY 12845

**SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION**

The effective date of this Policy shall be February 15, 2019. The County Human Resources Director shall ensure that this Policy is adequately disseminated and made available to all employees of the Municipality. This Policy shall be distributed each year. In addition, copies of this Policy and Complaint Form shall be maintained in the office of each Compliance Officer as well as the Municipality's Policy Book that is available at the office of the Clerk of the Board.

Upon the effective date of this Policy, the provisions of this Policy shall supersede and replace the following prior Municipality policies and regulations regarding employee discrimination and harassment: Warren County Plan and Program on Workplace Harassment adopted by Resolution 304 of 2013.

**ACKNOWLEDGMENT OF RECEIPT OF WARREN COUNTY’S POLICY AGAINST  
DISCRIMINATION AND HARASSMENT**

Warren County is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subjected to harassment or discrimination in the workplace. It is the County’s policy to provide a workplace environment free from harassment and discriminatory practices.

Warren County has adopted and disseminated a revised Policy Against Discrimination and Harassment. Please sign the attached acknowledgment that you have received a copy of the revised Policy, have reviewed it, and have been afforded an opportunity to ask a Compliance Officer any questions you may have regarding the Policy. Return the signed acknowledgment to Human Resources.

Thank you for your assistance in this matter. If you have any further questions regarding this Policy, feel free to contact the County Human Resources Director.

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**ACKNOWLEDGMENT OF RECEIPT OF MUNICIPALITY’S POLICY AGAINST  
DISCRIMINATION AND HARASSMENT**

I, \_\_\_\_\_, have received the County’s Policy Against Discrimination and Harassment. I have reviewed this Policy, and I have had the opportunity to ask questions regarding the Policy.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

**COMPLAINT FORM**

*In order to assist us in investigating your allegations of harassment, discrimination or retaliation in a prompt and thorough fashion, please complete this form to the best of your abilities and with as much detail as you are able. Once completed, please submit this form to a Compliance Officer identified in Section 11 of the County Policy Against Discrimination and Harassment. If additional space is needed in order to respond to any question below, please attach additional pages as necessary. Any questions regarding this form may be directed to a Compliance Officer. No individual will be retaliated against for filing a complaint.*

Your Name: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_  
(Please circle the number you'd prefer us to call)

Email: \_\_\_\_\_

Name of Victim (if different than Complainant): \_\_\_\_\_

Basis of this complaint (check all that apply):

- Age
- Pregnancy
- Citizenship
- Race/color
- Disability
- Religion/Religious creed
- Domestic violence victim status
- Sex/gender
- Familial Status
- Sexual harassment
- Gender expression
- Sexual orientation
- Gender identity
- Transgender status
- Genetic predisposition
- Marital Status
- Retaliation
- Military/veteran status
- Other/Not Sure
- National Origin

If checked "Other/Not Sure," please briefly explain:



Warren County Department of Human Resources

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Time(s) and date(s) the incident(s) took place:

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Name(s) and office address of the individual who allegedly engaged in the harassment, discrimination or retaliation. If more than one, list all.

Name: \_\_\_\_\_

Location: \_\_\_\_\_

Describe the incident(s) which occurred with as much detail as you are able, including why you believe the incident(s) constitutes harassment, discrimination or retaliation (please attach any documentation or evidence you believe is relevant to the incident):

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Describe briefly what you would consider to be appropriate resolution of the conduct described above: (Please note that Warren County retains the sole discretion and authority to determine the appropriate disciplinary and/or corrective action to be taken with regard to meritorious complaints. This question should not be construed in any way to constitute a forfeiture of that discretion or authority.)

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Identify all persons who witnessed the incident(s) described above:

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Please identify any other persons you believe have knowledge important to the incident(s) in question, including his/her contact information and a brief description of the knowledge held by each person:

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Have you filed a complaint or charge with a Federal, State, or Local Government agency related to the incident(s) identified above?

Yes \_\_\_\_\_ No \_\_\_\_\_

Has this incident or occurrence been previously reported? [ ] Y [ ] N. If yes, when and to whom?

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I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

\_\_\_\_\_  
Signature Date

For Employer Use Only – To be Completed Upon Receipt

Recipient of Complaint (print): \_\_\_\_\_

Date, Time and Manner (e.g. personal delivery, mailbox, etc.) Received:

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Notes:



**Warren County Department of Human Resources**

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# Warren County Board of Supervisors

## RESOLUTION NO. 339 OF 2020

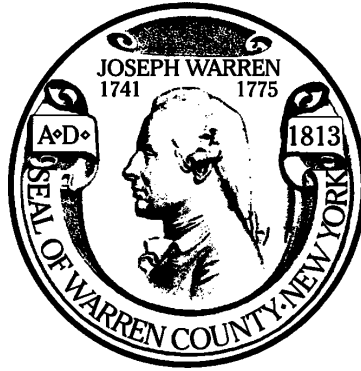
**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD**

### **ADOPTING OUT-OF-UNIT EMPLOYEE BENEFITS POLICY**

WHEREAS, the Director of Human Resources presented to the Personnel & Administration Committee a Out-of-Unit Employee Benefits Policy, and

WHEREAS, the Personnel & Administration Committee has reviewed the policy and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Out-of-Unit Employee Benefits Policy annexed hereto, be and the same hereby is, adopted as the official Policy for Warren County.



**WARREN COUNTY  
OUT-OF-UNIT EMPLOYEE BENEFITS  
POLICY**

**SECTION 1. SALARY AND COMPENSATION PLAN**

- A. All employees outside the bargaining units shall be compensated according to the Warren County Salary and Compensation Plan adopted by the Board of Supervisors and according to such further Resolutions as may be adopted by the Board from time to time. For the purposes of computing salaries and where applicable, overtime and other benefits, the annual salary of all employees outside the bargaining units (with the exception of the appointed and executive employees) shall be divided by 2,080 hours. The salaries of all appointed and executive employees outside the bargaining units shall be divided by 1,820 hours as set forth in Res. 439 of 2010.

**SECTION 2. WORKDAY, WORKWEEK, OVERTIME**

- A. **Regular Hours.** The regular hours of work in each day shall not exceed eight hours, except that the hours worked when attending an authorized out-of-town conference, training class, seminar or similar educational class may be more than eight hours but not more than 11 hours when the Department Head (or designee) and the employee agree that the time worked over eight hours (not more than 11), will be taken as authorized time off later in the same workweek. Agreement by the Department Head and employee must be in writing using a form provided by the County Attorney. If an agreement is not reached it is understood that the Department will either pay overtime or not authorize/require the employee to attend the conference, training class, seminar or similar education class for more than eight hours.
- B. **Overtime.** Overtime must first be authorized by the Department Head. When an employee who is required under law to receive overtime pay is authorized or required by the Department Head to work in excess of 40 hours per week, or more than eight hours in one day, he/she shall be entitled to receive compensation at the rate of time and one-half of his hourly rate of pay, except no overtime compensation shall be required under circumstances where an agreement is reached pursuant to division A. above.
- C. **Flex Time.** In addition to the foregoing, the regular hours in each day for all departments in which non-exempt employees outside the bargaining unit work shall not exceed eight (8) hours per day except where an employee and a Department Head agree that the employee may work in excess of eight (8), but not more than ten (10) and take authorized time off later in the same work week on an hour for hour basis. Hours worked under this provision must be tracked and marked as flex time on the employee timesheet. The employee shall not be entitled to overtime pay for the hours used as flex time.
- D. **Compensatory Time.** Notwithstanding the foregoing provisions of this section, non-exempt employees may elect to take time off duty in lieu of payment for overtime that they are requested or required to work. Compensatory time off shall be at the rate of one and one half hours off for each hour worked. The elections to accrue and take compensatory time off will be made in writing on forms prescribed by the County Administrator. In the absence of such election, the overtime work will be paid for at the regular overtime rate. Requests for compensatory time off shall be granted in the order that they are received. In the event that more than one request is received at

the same time, seniority shall govern. Requests for compensatory time off shall not be made more than thirty (30) days in advance. An employee may accumulate up to forty (40) hours of compensatory time off in lieu of overtime. All accumulated and unused compensatory time off shall be paid to the employee by separate check in the last payroll in each calendar year. The employee shall thereafter be allowed to once again start to accrue time for the following year. Approval of requests for use of compensatory time shall be conditioned upon the needs of the employee's department as determined in the sole discretion of the Department Head or designee.

- E. **Call in Pay.** Beginning January 1, 2020 the County will provide a guarantee of 1 hour call-in time at the rate of time and one-half whenever an overtime eligible employee is required and authorized to perform necessary work outside of normal working hours and when the time worked does not immediately precede a normal work shift or immediately follow a normal work shift.
- F. **Miscellaneous Compensation.** The County will reimburse an employee required by the County to use his/her private automobile for County business at the rate allowable by Internal Revenue Service rules as amended from time to time.

### **SECTION 3. DEFINITION OF EMPLOYEES**

The following definitions shall apply:

**Administrative Employee.** Employees responsible for department activities in the absence of the Department Head or Deputy Department Head and who assist in the enforcement of departmental policies and regularly exercise discretion and independent judgment with authority to make important agency decisions. NOTE: Administrative positions are NOT subject to agency fee provisions.

**Executive Employee.** A Department Head or Deputy Department Head. NOTE: Executive positions are NOT subject to agency fee provisions.

**Full-time Employee.** A person who is employed by the County for a 12-month period of time and who works 35 hours per week or more.

**Less than Half-time Employee.** A person who is employed by the County for a 12-month period and works less than 20 hours per week.

**Part-time Employee.** A person who is employed by the County for a 12-month period and who works less than 35 hours per week but more than 20 hours per week.

**Professional Employee.** Employees performing work which requires knowledge of an advanced type in a position where the employees invention, imagination, and talent in a specialized field is required for project completion. Employees perform work which is unique to a career field (i.e., Law, Medicine, Planning), as distinguished from clerical, manual, mechanical or physical duties. NOTE: Professional positions are NOT subject to agency fee provisions.

**Temporary Employee and Seasonal Employee.** A person who is employed for a particular program or project for a period not exceeding six months.

**SECTION 4. FRINGE BENEFITS**

Part-time employees as herein defined shall receive fringe benefits in the same proportion as the ratio of the number of hours the employee works to the number of hours in the regular workweek. Less than part-time employees including less than half-time and temporary or seasonal employees shall receive no fringe benefits.

**SECTION 5. HOLIDAYS.**

A. **Paid Holidays.** All employees in County service shall be entitled to the following paid holidays:

1. New Year's Day;
2. Martin Luther King's Birthday;
3. President's Day;
4. Memorial Day;
5. Independence Day;
6. Labor Day;
7. Columbus Day;
8. Veteran's Day;
9. Thanksgiving Day;
10. Christmas Day.

B. **Holiday Pay.**

In order to be paid for a holiday, the employee must work the employee's last scheduled workday before and after the holiday, except with the approval of the applicable Department Head or designee. In the event an employee at a County facility operating seven days a week shall be denied holiday pay by reason of this provision, the employee shall have the right, within the same payroll period of the holiday or the payroll period immediately following said payroll period, to appeal the denial to the Human Resources Director who shall determine whether the employee shall be paid for the holiday. In making a decision, the Human Resources Director shall allow the employee, the employee's immediate supervisor or other designated representative and Administrator to be heard. The Human Resources Director shall render the decision in writing and shall include the basis or rationale for the decision. The decision shall be delivered to the employee, the employee's supervisor or designee and the Administrator.

C. **Working on Holidays.**

When a non-bargaining unit, Fair Labor Standards Act exempt employee is required, as part of the customary work schedule, to work on one of the officially-designated county holidays, or if such an employee is called to work on such a holiday, the employee shall be compensated at such

employee's regular salary rate for the payroll period and receive leave credit for a full work day to be used within six months of the date of such accrual with the department head's prior approval (which approval shall not be unreasonably withheld). If such employee's normally scheduled day off falls on the official holiday, the employee shall likewise accrue one full work days' leave to be used within six months upon prior approval of the department head (which such approval shall not be unreasonably withheld).

**D. Weekend Holidays.**

1. Full-time employees will be paid the regular weekly salary without deduction when one (1) of the above holidays is observed during the workweek.
2. Part-time employees will be paid at their regular wage for the day when a holiday falls or is observed within their respective workweek schedule.
3. Temporary and seasonal employees as defined herein will be paid their regular wage for the day where a holiday falls or is observed within their respective workweek schedule.
4. If a holiday falls on a Sunday, it will be observed on the next day thereafter. If it falls on a Saturday, it will be observed on the preceding Friday.
5. If a holiday falls on any other day, the General Construction Law and amendments then in effect will govern the day of its observance.
6. If a holiday falls during a vacation period, the day will not be charged against the employee's vacation credits. Vacation days are charged solely against working days.
7. Any employee not in an executive, administrative or professional position who is required to work on one(1) of the scheduled holidays shall be paid time and one-half (1/2) plus the holiday pay if the holiday falls during the employee's regular workweek schedule. Election Department employees shall be given an additional day off if required to work on Election Day.
8. Any employee not in an executive, administrative or professional position who is called into work on a contract holiday shall be paid time and one-half (1/2) plus the holiday pay.

For the purposes of this Section the day to be considered the holiday shall be the day observed by the County as the holiday irrespective of whether such day is the actual holiday. This regulation shall be waived for the following holidays: New Year's, Christmas and Independence Day. On such holidays, the day to be considered the holiday shall be the day on which the holiday actually falls.

**E. Floating Holidays.**

Subject to the provisions herein, full-time employees shall be entitled to two additional days of with pay at their usual daily rate. These days shall be known or referred to as "floating holidays" and shall be used within restricted periods of time. One floating holiday shall be taken between January 1st and June 30th of each year. The other shall be taken between July 1 and December 31 of each year. The days may be used in conjunction with vacation or personal days. Rules concerning scheduling and/or use shall be the same as those applicable to vacation days. The days must be taken. Days earned and not taken through no fault of the employee shall be treated in the same manner as vacation days not taken under the same circumstances. Part-time employees shall receive the benefit

of the floating holidays in the same proportion as the ratio of the number of hours the employees work to the number of hours in the regular work week. In their first year, a new employee shall be entitled to the floating holidays provided that the new employee was on the payroll at the time of the actual Lincoln’s Birthday holiday or Election Day.

**SECTION 6. VACATION, SICK LEAVE, PERSONAL LEAVE, BEREAVEMENT LEAVE.**

**A. Vacation Leave.**

**Employees Hired after January 18, 2013.** All full-time and part-time employees commencing work on or after January 18, 2013 shall accrue leave from the date of hire on a pro-rated bi-weekly basis. Vacation time will be earned in the amounts outlined in the table in item number 2. Any leave time accrued shall not be considered earned until the newly hired employees have completed six (6) months of continuous service. Once six (6) months continuous service has been completed, the employee may use any of the accrued time or continue to save the time for future use in accordance with other applicable provisions of this agreement. If a new employee shall not complete six (6) months continuous service, the accrued time shall not be considered earned and shall not be payable to the employee upon termination or otherwise leaving the County. Any employee beginning work with Warren County shall always accrue all vacation time provided for herein on a pro-rata bi-weekly basis and such vacation time must be used not later than eighteen (18) months from the time earned or the vacation time shall be forfeited or lost and no compensation shall be made to the employee.

**Employees Hired Prior to January 18, 2013.** All full-time County employees hired prior to January 18, 2013 shall be entitled to a vacation with pay after completing one (1) years of total continuous service as follows:

1 year of service	10 working days
3 years of service	11 working days
4 years of service	12 working days
5 years of service	13 working days
6 years of service	14 working days
7 years of service	15 working days

An additional day of vacation shall be added each year until a maximum of twenty (20) working days are attained.

Vacation credits shall be computed from the day of entry into County service and computed on January 1st of each year. For the purpose of determining the effective date of earned vacation the period of service shall be computed from the 1<sup>st</sup> day of January in the year the employee was first

appointed.

Vacations shall be scheduled with the approval of the employee's Department Head, which approval shall not be unreasonably withheld. All vacations shall be taken in the calendar year during which the employee becomes entitled thereto. Vacation credits shall not be carried over from one (1) calendar year to another or used in whole or in part any year except the year in which it is due; provided, however, that the County will allow an employee: 1) to carry part of the vacation time earned in one calendar year over into the succeeding calendar year upon advance notice to the Department Head, and solely as a continuation of a planned trip commenced in the twelfth (12<sup>th</sup>) month of the calendar year; or 2) to carry over up to five (5) vacation days, not taken through any fault of the employee, into the succeeding calendar year, upon notice to the Department Head by December 1<sup>st</sup> of the current calendar year, to be taken no later than June 1<sup>st</sup> of the succeeding calendar year.

**Vacation Provisions Applicable Regardless of Date of Hire:**

1. Vacation leave may be taken in one hour increments. A vacation day taken the day before or day after a holiday must be approved in advance by the Department Head.
2. The period of employment referred to above shall be for a period of total service in Warren County employment. Vacation credits shall be computed from the day of entry into County service.
3. A day of vacation shall be a working day.
4. All vacation time must be taken with the time frames provided and any time not so taken shall be forfeited or lost and no compensation shall be made to any employee, except that vacation time earned and not taken shall be paid to the employee upon application to the Warren County Board of Supervisors and a finding by such Board that 1) in the case of an employee who is not a Department Head that the employee was requested to not take vacation time or was affirmatively denied the opportunity to take vacation time at any time during the time frames herein provided by the Department Head or 2) in the case of a Department Head, the Department Head was requested by the Board of Supervisors to not take vacation or was affirmatively denied the right to take vacation or 3) with regard to any employee injury or disability prevented the use of vacation time. The application provided for herein must be made within 6 months of the end of the year in which the use of vacation time was earned and payment, if awarded, will be at the rate earned. Failure to make such an application shall constitute forfeiture and/or waiver of right to be compensated for qualifying unused vacation time and the County shall have no continuing liability therefore.
5. Time earned and not otherwise taken through no fault of the employee as provided herein, shall be paid to an employee at the time of his/her termination of service.
6. Part-time employees and full-time employees who work less than forty (40) hours per week will be entitled to vacation credits based on their regular workday and regular workweek.
7. In order to be paid for a vacation day, the employee must work the employee's last scheduled work day before and after the vacation day, except with the employee's

supervisor's approval.

**B. Sick leave.**

1. Absence from duty by an employee by reason of sickness or disability of himself or herself shall be considered "sick leave".
2. A new full-time employee who is paid on an annual basis and was hired after January 18, 2013 shall be entitled to sick leave with pay on the basis of ten (10) working days in each year. The ten (10) working days per year allowed to an employee for sick leave will be earned at the rate of one (1) day of sick leave for each month of employment except for the sixth and twelfth months during the year of employment where no days will be earned. Such sick leave with pay shall be granted to the employee by the Department Head. The Human Resources Director may require a physician's statement for any absence of more than three (3) consecutive days.
3. All full-time employees who are paid on an annual basis and were hired prior to January 18, 2013 shall be entitled to sick leave with pay on the basis of one (1) working day per month and no more than twelve (12) working days in each year. Such sick leave with pay shall be granted to the employee by the Department Head. The Human Resources Director may require a physician's statement for any absence of more than three (3) consecutive days.
4. Employees shall be allowed to take sick leave in no less than one (1) hour intervals.
5. Absence from duty by an employee by reason of sickness or disability of an immediate member of employee's family shall also be considered "sick leave", provided, however, 1) the sickness or disability of the immediate family member must require the physical presence and actual assistance of the employee; 2) a full-time employee may use no more than 10 or the maximum number of sick leave days the employee has available for use, whichever is less, in any calendar year for immediate family member sickness or disability and the number of days available for use by the part-time employee shall be that portion of 10 days which is in the same proportion to the number of hours worked when compared to full time employees and in no event shall exceed that the employee has accrued; 3) the use of sick leave for immediate family sickness or disability shall be subject to the same rules of use as are applicable to the employee's use of sick leave for employee's own sickness or disability including disciplinary action should the sick leave not be used in accordance with the rules specified herein; 4) the use of sick leave for immediate family member sickness or disability shall be subtracted from or charges to the employee's sick leave balance in the same manner as if used for the employee's own sickness or disability; and 5) immediate family member shall mean mother, father, husband, wife, brother, sister, child, grandparent, grandchild, mother-in-law, father-in-law, and any relative or person residing in the immediate household of the employee.
6. No employee shall receive any part of his/her compensation while absent from duty because of sickness or disability except as herein provided.
7. The days allowed to an employee for such leave with pay may be accumulated to a maximum of one hundred sixty five (165) days, and may be kept to his or her credit for future sick leave with pay.

8. In the event that any employee utilizes the sick leave benefits provided by this Section while not actually sick, such employee will be subject to disciplinary proceedings.
9. Any employee hired prior of January 18, 2013 who is not represented by a union or collective bargaining agreement, with the exception of Sheriff's Office employees and elected officials, who has not used all of his/her accumulated sick leave at the time of his/her retirement, he/she shall be paid in cash at the hourly rate then in effect, for one-half (1/2) of the accumulated sick leave to his/her credit, with a maximum of seventy (70) days to be paid in cash.
10. Any employee hired after January 18, 2013 who is not represented by a union or collective bargaining agreement, with the exception of Sheriff's Office employees and elected officials, will receive no sick leave
11. Any bargaining unit employee of the Sheriff's Office who has not used all of his/her accumulated sick leave at the time of his/her retirement shall be paid in cash at the hourly rate then in effect, for one-half (1/2) of the accumulated sick leave to his/her credit, with a maximum of ninety (90) days to be paid in cash.
12. Part-time employees will earn sick leave' credits based on their workday and workweek.
13. Less than half-time, temporary and seasonal employees shall not be entitled to receive sick leave credits.

**C. Personal leave.**

1. Personal leave is leave with pay for personal business, including religious observance, without charge against accumulated vacation credits.
2. Full-time employees in County service shall be entitled to personal leave not exceeding a total of three days in each year.
3. Part-time employees will earn personal leave credits based on their workday and workweek.
4. Less than half-time, temporary and seasonal employees shall not be entitled to personal leave credits.
5. Personal leave shall not be cumulative and no part thereof shall be carried over from one calendar year to another. Unused personal leave shall not be liquidated in cash at the time of separation, retirement or death.
6. Personal leave shall be granted only by prior approval of the Department Head and only at a time convenient to the Department, and may be taken in multiples of not less than one hour.
7. An employee shall not be entitled to personal leave time until after four months of continuous employment.
8. Each new full-time permanent employee shall be credited with one day of personal leave after four months of continuous employment and one additional day of personal leave after eight months of continuous employment and by an additional day of personal leave at the end of the

tenth month of employment, except all new employees shall have three personal leave days credited as of January 1, whether they have completed ten months of service or not.

**D. Leave of absence.**

1. **Military leave.** County employees who are members of military reserve units and are required to go on active duty for training purposes shall be entitled to leave without loss of pay for such time as is necessary to fulfill such military training obligation, but not exceeding 30 workdays per calendar year. Payment shall not be made to such employee unless a copy of the military orders is submitted to the Department Head.
2. **Medical leave, education leave and family leave.**
  - a. To request a leave of absence under the Family and Medical Leave Policy, please refer to the Family and Medical Leave Policy for Warren County Employees found in Resolution 217 of 2015.
  - b. Extension of authorized medical leave will be granted after an approval by the Department Head and the Personnel Committee of Warren County.
  - c. Unpaid educational leave may be requested up to a period not to exceed 10 months.
  - d. All requests for leave shall be approved by the Department Head and the County Director of Human Resources prior to the granting of leave. Employees shall receive a reason in writing for any denial of a request for leave.
  - e. Upon termination of an authorized leave of absence, the employee will be reinstated without interruption of service, rights and benefits.
  - f. In the event an employee is reinstated in his/her old position within two months from the date he/she has resigned or for any reason has left his/her position, he/she will be reinstated with all his/her accumulative rights and benefits as if no interruption in service has occurred.

**E. Bereavement leave and funeral leave.**

1. Employees may be absent from work without loss of pay by reason of death in the immediate family up to a maximum period of three (3) working days, commencing from the date of death of the family member or day before the funeral. Immediate family includes only mother, father, husband, wife, brother, sister, child, grandparent, grandchild, mother-in-law, father-in-law and any relative or person residing in the immediate household of the employee.
2. Employees may be absent from work without loss of pay for one day to attend the funeral of the employee's brother-in-law, sister-in-law, or grandparent-in-law.
3. When extreme weather conditions will not allow for a burial until spring, an employee may reserve and schedule a day of the bereavement leave discussed above for such reason.

**F. Employee approval.** The employer shall not have the right to charge any employee's leave credits without that employee's approval.

**G. No discrimination.** The County shall administer the policies set forth in this Resolution in a manner which will be fair and impartial to all employees and there shall be no discrimination against any employee because of age, race, creed, color sexual orientation, national origin military status, sex, disability, predisposing genetic characteristics, or marital status.

**SECTION 8. HEALTH INSURANCE AND DENTAL INSURANCE PLANS.**

**A. Employee Eligibility.**

Warren County employee shall be eligible for coverage under the Warren County Health Insurance Plan if any of the following conditions apply:

1. Said employee is employed at a rate of at least thirty (30) hours per week on a regularly scheduled basis, or
2. Is employed less than thirty (30) hours per week:
  - a. Is a paid elected official; or
  - b. Is a paid member of a public legislative board.
3. Health insurance benefits for full-time (30+ hours per week) non-bargaining unit employees who began work with Warren County prior to December 21, 2012 shall be as follows:
  - a. Effective June 1, 2017, the County shall offer health insurance to current full-time employees not part of any collective bargaining unit on an individual, two-person or family coverage basis (depending on the qualifications and election of the employee) provided that the employee contributes fifteen percent (15%) of the health insurance premium. Commencing December 1, 2017, the amount of the aforesaid contribution shall be increased to seventeen percent (17%). Commencing December 1, 2018, the amount of the aforesaid contribution shall be increased to eighteen percent (18%).
  - b. All health insurance coverage shall be afforded with the maximum co-pay of 25/40 for office co-pays and 10/30/50 for drug plan co-pays.
  - c. The health insurance coverage option(s) afforded eligible retirees under 65 years of age shall be the same as that provided to eligible active employees. The Health Insurance coverage option(s) afforded eligible retirees 65 years of age and older shall be through Medicare Advantage Plans or similar plans offered to eligible Union employee retirees with the same status;
  - d. The County will offer coverage to full-time non-bargaining unit employees who retire, provided that said employee a) has at least ten (10) years of total service as a Warren County employee; b) has retired under the New York State Retirement System or is retired and is receiving or will receive Social Security Benefits and would have been eligible to retire and receive benefits under the New York State Retirement System if the employee had been a participant in said Retirement System; c) is enrolled in the Warren County Health Insurance Plan at the time of retirement; d) the contribution to be paid toward the health

insurance premium by all eligible retirees under the age of sixty-five (65) shall be the amount equivalent to the amount paid by active eligible employees and may be increased or otherwise changed from time-to-time; e) the contribution to be paid by current active eligible employees who become retirees sixty-five (65) or older, after August 16, 2013 and who began employment with Warren County prior to December 21, 2012, shall be a percentage equal to that percentage being contributed by active full-time employees commencing work prior to December 21, 2012, as may be increased or otherwise changed from time-to-time.

- e. Two members of the same family employed by the County may only be enrolled in one (1) health insurance plan. However, if two (2) members of the same family employed by the County are eligible to be enrolled in a two-person plan, each employee may enroll in their own individual plan but the County will contribute a maximum total amount equal to the County's contribution to a two person plan.
4. Health insurance benefits for new full-time (30+ hours per week) non-bargaining unit employees beginning work with Warren County on or after December 21, 2012 shall be as follows:
- a. Effective June 1, 2017, the County shall offer health insurance to current full-time employees not part of any collective bargaining unit on an individual, two-person or family coverage basis (depending on the qualifications and election of the employee) provided that the employee contributes twenty-two percent (22%) of the health insurance premium. Commencing December 1, 2017, the amount of the aforesaid contribution shall be increased to twenty-four percent (24%). Commencing December 1, 2018, the amount of the aforesaid contribution shall be increased to twenty-five percent (25%).
  - b. All health insurance coverage shall be afforded with the maximum co-pay of 25/40 for office co-pays and 10/30/50 for drug plan co-pays.
  - c. The County will offer health insurance Medicare Advantage plans or similar plans to full-time non-bargaining unit employees who retire, provided that said employee a) retires from the New York State Retirement Plan; b) had insurance coverage in the previous ninety (90) day period; c) is sixty-five (65) years of age or older; d) has at least twenty (20) years total full-time county service; e) pays a percentage equal to that shared percentage being contributed by active fulltime employees commencing work on or after December 21, 2012, as may be increased or otherwise changed from time to time. If the employee leaves County service before reaching the age of sixty-five (65), the employee shall not be entitled to continue health insurance through Warren County. Once the employee who leaves the County reaches sixty-five (65) years, assuming all other eligibility criteria outlined above are met, the employee may then elect to receive benefits outlined above.
  - d. Two members of the same family employed by the County may only be enrolled in one (1) health insurance plan. However, if two (2) members of the same family employed by the County are eligible to be enrolled in a two-person plan, each employee may enroll in their own individual plan but the County will contribute a maximum total amount equal to the County's contribution to a two person plan.

**B. Coverage in Retirement.**

1. Eligibility in retirement is as set forth in Section 1. Employees with at least 10 years total service as a Warren County employee, vested status who leaves County employment prior to retirement under the New York State Retirement System may continue coverage in Warren County Health Insurance Plan by paying both the employer and employee shares of the health insurance premium. After retirement begins, said employee shall be liable for only the employee share of the premium.
2. An active employee who is eligible for coverage and has elected not to enroll in the County Plan during his active employment may enroll in the Plan at any time prior to retirement during an open enrollment period.
3. A covered employee or retired employee who fails to remit the required premiums shall be terminated from coverage.
4. An employee who is eligible for coverage at the time of retirement and who elects not to continue coverage or to not enroll for coverage as a retired person shall be eligible to enroll for coverage after retirement provided such employee has at least twenty (20) years of total service as a Warren County employee.

**C. Death of an Employee While in Service.**

The surviving spouse and minor children of a Warren County employee who dies while in service and prior to retirement shall be eligible for continued coverage under the Warren County Health Insurance Plan and shall pay only the employee share of the premium under the following conditions:

1. the deceased employee had at least ten (10) years of total service as a Warren County employee; and
2. the deceased employee was vested under the New York State Retirement System at the time of his/her death.

**D. Death of Retiree**

The surviving spouse and minor children of a retired Warren County employee shall be eligible for continued coverage under the Warren County Health Insurance Plan and shall pay only the employee share of the premium under the following conditions:

1. the deceased employee had at least ten (10) years of total service as a Warren County employee; and
2. the deceased employee had retired and was eligible for or receiving benefits under the New York State Retirement System at the time of his/her death.

“Continued coverage” as used in this in this Resolution shall mean the coverage available to all Warren County employees and members of the employee’s family.

**SECTION 9. RETIREMENT PLANS AND DEATH BENEFITS.**

**A. Retirement - generally.**

Retirement benefits and death benefits, to the extent available, are provided through the New York State and Local Employees' Retirement System. Information concerning the nature and extent of the retirement benefits may be obtained through the Human Resources Department and/or from the New York State and Local Employees' Retirement System.

**B. Career retirement plan.**

The County has adopted a Resolution providing for a Career Retirement Plan for County-employees pursuant to N.Y. Retire. & Soc. Sec. Law § 75-i. The foregoing shall be amended to the extent necessary to reflect changes in the N.Y. Retire. & Soc. Sec. Law as it applies to so-called "Tier Three" category employees. Such plan shall become effective upon compliance with applicable New York State laws and implementation by the New York State Retirement and Social Security System.

**C. Guaranteed ordinary death benefit.**

The County has adopted a Resolution providing for a guaranteed ordinary death benefit under N.Y. Retire. & Soc. Sec. Law § 60-b as amended by the Laws of 1970 which provides, for County employees who qualify, a guaranteed minimum death benefit of three times the annual rate of pay but limited to \$20,000.

**SECTION 10. MISCELLANEOUS PROVISIONS.**

**A. Coffee breaks.**

All employees shall be allowed one coffee break during each four hours of his/her regular day and each Department Head shall establish such rules and regulations as may be necessary to implement these employee rest periods.

**B. Annual statement of accrued time.**

Each employee will view his/her time and accruals electronically unless there is no computer access available in the employee's workplace. Each employee who does not have computer access in the employee's workplace will receive a paper copy of his/her time or leave through the Human Resources Department.

**C. Submission of time records.**

For the purpose of maintaining leave balances, all employees are to submit weekly time records using Novatime. Overtime payment for those non-exempt employees not deemed executive, administrative or professional shall be listed on weekly time records. Hours reported in excess of 40 hours weekly for those employees designated executive, administrative or professional are NOT eligible for overtime compensation.

**D. Medicare premiums.**

Upon the exclusion from the coverage of the County's health insurance plan of the supplemental medical insurance benefits under Medicare, the amount of such Medicare premium will be deducted from contributions payable by the employee and the employer contributions to the Health Insurance Fund shall be adjusted as necessary to provide such payments.

**E. Workers' compensation and disability insurance.**

Warren County Workers' Compensation and Disability Insurance is through self-insurance and benefits and use or credit of sick leave will be in accordance with the rules established thereunder.

**F. Jury duty compensation.**

The County will pay an employee for the first three (3) days of jury service. Commencing with the fourth day of jury service, the County will pay an employee who serves on a jury the difference between the jury pay and 40 hours pay at straight time. Volunteers will not be paid and provisions must be made for reporting for work on short court sessions or days when the County is working although the Court may not be in session. No payment will be made to any employee who is exempt by law and waives the exemption by failing to claim the exemption or by volunteering to serve.

**G. Training programs.**

County employees shall be allowed to take job related courses with the prior approval of the County Board of Supervisors. Upon satisfactory completion of the course with a "C" grade or better, the County shall reimburse the employee for 50% of the cost for tuition and fees incidental to taking the course.

**H. Job-related course benefit.**

1. County employees who are not represented by a union or collective bargaining agreement, with the exception of elected officials, shall be allowed to take job related courses with the prior approval of the County Board of Supervisors. Upon satisfactory completion of the course with a "C" grade or better, the County shall reimburse the employee for 50% of the cost for tuition and fees incidental to taking the course. If an employee does not work for at least 18 consecutive months after completing a course for which the County has reimbursed the employee for 50% of the cost of tuition and fees, the employee will refund the County the total amount paid by the County to the employee.
2. Non-bargaining employees of the Sheriff's Office shall be allowed to take job-related courses with the prior approval of the County Board of Supervisors. Upon satisfactory completion of the course with a "C" grade or better, the County shall reimburse the employees for 50% of the cost of tuition and fees incidental to taking the course. If an employee does not work for at least 18 consecutive months after completing a course for which the County has reimbursed the employee for 50% of the cost of tuition and fees, the employee will refund the County the total amount paid by the County to the employee.

**I. Employee indemnification.**

The indemnification benefits of N.Y. Pub. Off. Law § 18 has been conferred upon all County employees, provided such employee complies with all of the requirements of N.Y. Pub. Off. Law § 18.

**J. Americans with Disabilities Act.**

The County shall comply with the applicable provisions of the Americans with Disabilities Act.

# Warren County Board of Supervisors

## RESOLUTION NO. 340 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD**

### **AUTHORIZING CONTINUATION OF A MEDICARE ADVANTAGE INSURANCE PLAN FOR WARREN COUNTY RETIREES**

WHEREAS, Warren County has offered health insurance through Humana for Medicare eligible retirees receiving Medicare benefits, and

WHEREAS, as a result of a review of the Medicare Advantage health insurance program performed by the County's health insurance broker, Jaeger & Flynn Associates, Inc., it has been recommended that the County renew the Humana Medicare Advantage plan for Medicare eligible County retirees, now, therefore, be it

RESOLVED, that Warren County renew its benefit plan with Humana as its Medicare Advantage insurance provider at a monthly premium of One Hundred Sixty-Five Dollars and Three Cents (\$165.03), and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute any and all documents and/or agreements that may be necessary to renew the Medicare Advantage Plan with Humana; said documents and/or agreements to be in a form approved by the County Attorney, for a term commencing January 1, 2021 and terminating December 31, 2021, at which time all policies will once again be reviewed.

# Warren County Board of Supervisors

## RESOLUTION NO. 341 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, GERAGHTY, FRASIER, BRAYMER, CONOVER, MAGOWAN, MCDEVITT, MERLINO AND WILD**

**AUTHORIZING CONTINUATION OF HEALTH, DENTAL, VISION AND VOLUNTARY LIFE AND ACCIDENT INSURANCE FOR COUNTY OFFICERS, EMPLOYEES AND RETIREES**

WHEREAS, on December 1, 2017 Warren County transitioned to a self-funded health insurance/prescription plan for County officers, employees and retirees (pre-Medicare eligible), and

WHEREAS, the County's health insurance broker, Jaeger & Flynn Associates, Inc., has recommended that Warren County continue its insurance/prescription plan with Blue Shield for officers, employees (30 hrs./week) and retirees (pre-Medicare eligible), as well as its dental insurance plan with Delta Dental, vision insurance plan with Empire Blue View Vision, and voluntary life and accident insurance plan with Guardian to include critical illness, now, therefore, be it

RESOLVED, that Warren County renew its benefit plans for County officers, employees and retirees (pre-Medicare eligible) in accordance with the terms and provisions provided for above, at premium equivalents not to exceed those listed below:

Blue Shield EPO 5098

Individual	\$ 759.95
Two Person	\$ 1557.87
Family	\$ 2184.57

Blue Shield HDEPO 6398

Individual	\$ 579.49
Two Person	\$ 1187.95
Family	\$ 1665.84

Delta Dental

Individual	\$ 29.75
Family	\$ 76.56

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Empire Blue View Vision

Individual	\$	5.42
Family	\$	13.58

Guardian Critical Illness Premium

	<b>18-29</b>	<b>30-39</b>	<b>40-49</b>	<b>50-59</b>	<b>60-69</b>
Individual	\$4.40	\$6.20	\$12.20	\$23.70	\$41.40
Two Person	\$7.40	\$10.10	\$19.10	\$36.35	\$62.90
Individual + Child(ren)	\$4.40	\$6.20	\$12.20	\$23.70	\$41.40
Family	\$7.40	\$10.10	\$19.10	\$36.35	\$62.90

and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute any and all documents and/or agreements of any kind or nature that may be necessary to renew the health insurance with Blue Shield, to renew the Voluntary High Deductible Option with Blue Shield including a Medical Expense Reimbursement Plan (MERP), to renew the agreement with Delta Dental, to renew the agreement with Empire Blue View Vision and renew the agreement with Guardian Voluntary Life and Accident, to include Critical Illness, in a form approved by the County Attorney, for a term commencing December 1, 2020 and terminating November 30, 2021, at which time all policies will once again be reviewed.

# Warren County Board of Supervisors

## RESOLUTION NO. 342 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE REHAB COUNTY BUILDINGS RESERVE TO THE BUILDINGS BUDGET FOR ELEVATOR REPAIR AND UPGRADE; AMENDING 2020 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed Twenty-Five Thousand Dollars (\$25,000) from the Reserve, Rehab County Buildings (A.871.00) to Budget Code A.1620 413, Buildings, Repair & Maint.-Bldg/Property, and be it further

RESOLVED, that the Warren County Budget for 2020 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 343 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR GENERAL CONSTRUCTION CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)**

WHEREAS, the Purchasing Agent has advertised for sealed bids for General Construction Contract Services for Capital Project H350, Court Space Expansion Project (WC 40-20), and

WHEREAS, the bids were opened on September 24, 2020 and the recommendation of the lowest responsible bidder could not be approved by the Superintendent of the Department of Public Works prior to the Board of Supervisors meeting on September 18, 2020, 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 Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an agreement with the lowest responsible bidder relative to general construction contract services for Capital Project H350, Court Space Expansion Project, pursuant to the terms and provisions of the specifications (WC 40-20) and proposal, for a term commencing upon execution by both parties and terminating upon completion of services, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Capital Project No. H350.9550 280 Court Space Expansion, Capital Projects, Projects.

# Warren County Board of Supervisors

## RESOLUTION NO. 344 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, MCDEVITT, MERLINO, SIMPSON AND STROUGH**

**AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR PLUMBING CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)**

WHEREAS, the Purchasing Agent has advertised for sealed bids for Plumbing Contract Services for Capital Project H350, Court Space Expansion Project (WC 40-20), and

WHEREAS, the bids were opened on September 24, 2020 and the recommendation of the lowest responsible bidder could not be approved by the Superintendent of the Department of Public Works prior to the Board of Supervisors meeting on September 18, 2020, 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 Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an agreement with the lowest responsible bidder relative to plumbing contract services for Capital Project H350, Court Space Expansion Project, pursuant to the terms and provisions of the specifications (WC 40-20) and proposal, for a term commencing upon execution by both parties and terminating upon completion of services, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Capital Project No. H350.9550 280 Court Space Expansion, Capital Projects, Projects.

# Warren County Board of Supervisors

## RESOLUTION NO. 345 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, MCDEVITT, MERLINO, SIMPSON AND STROUGH**

**AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR ELECTRICAL CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)**

WHEREAS, the Purchasing Agent has advertised for sealed bids for Electrical Contract Services for Capital Project H350, Court Space Expansion Project (WC 40-20), and

WHEREAS, the bids were opened on September 24, 2020 and the recommendation of the lowest responsible bidder could not be approved by the Superintendent of the Department of Public Works prior to the Board of Supervisors meeting on September 18, 2020, 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 Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an agreement with the lowest responsible bidder relative to electrical contract services for Capital Project H350, Court Space Expansion Project, pursuant to the terms and provisions of the specifications (WC 40-20) and proposal, for a term commencing upon execution by both parties and terminating upon completion of services, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Capital Project No. H350.9550 280 Court Space Expansion, Capital Projects, Projects.

# Warren County Board of Supervisors

## RESOLUTION NO. 346 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AWARDING BID AND AUTHORIZING AGREEMENT WITH LOWEST RESPONSIBLE BIDDER FOR HVAC CONTRACT SERVICES FOR CAPITAL PROJECT H350, COURT SPACE EXPANSION PROJECT (WC 40-20)**

WHEREAS, the Purchasing Agent has advertised for sealed bids for HVAC Contract Services for Capital Project H350, Court Space Expansion Project (WC 40-20), and

WHEREAS, the bids were opened on September 24, 2020 and the recommendation of the lowest responsible bidder could not be approved by the Superintendent of the Department of Public Works prior to the Board of Supervisors meeting on September 18, 2020, 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 Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an agreement with the lowest responsible bidder relative to HVAC contract services for Capital Project H350, Court Space Expansion Project, pursuant to the terms and provisions of the specifications (WC 40-20) and proposal, for a term commencing upon execution by both parties and terminating upon completion of services, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Capital Project No. H350.9550 280 Court Space Expansion, Capital Projects, Projects.

# Warren County Board of Supervisors

## RESOLUTION NO. 347 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE INSURANCE RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS;  
AMENDING 2020 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed Fifty Thousand Dollars (\$50,000) from the Insurance Reserve Fund Budget Code A.863.00 to the following Departmental budget:

PROJECT	TITLE	AMOUNT
A.4010 419	Health Services, Settlements	\$50,000

and be it further,

RESOLVED, that the Warren County Budget for 2020 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 348 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AUTHORIZING GLENS FALLS NATIONAL BANK & TRUST COMPANY TO ISSUE A LETTER OF CREDIT ON BEHALF OF WARREN COUNTY TO BLUE SHIELD OF NORTHEASTERN NEW YORK AS AN ALTERNATIVE TO PRE-FUNDING THE HEALTH INSURANCE ACCOUNT**

WHEREAS, pursuant to Resolution No. 324 of 2017, the Warren County Board of Supervisors authorized the transition to a self-funded health insurance/prescription plan for County officers, employees and retirees (less than sixty-five years of age), and

WHEREAS, the County's health insurance broker, Jaeger & Flynn Associates, Inc. has suggested that Warren County request a letter of credit from Glens Falls National Bank & Trust Company in the amount of Two Hundred Fifty-Three Thousand Five Hundred Dollars (\$253,500) to be submitted to Blue Shield of Northeastern New York as an alternative to pre-funding the account with Blue Shield of Northeastern New York, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes Glens Falls National Bank & Trust Company to issue a letter of credit on behalf of Warren County to Blue Shield of Northeastern New York in the amount of Two Hundred Fifty-Three Thousand Five Hundred Dollars (\$253,500).

# Warren County Board of Supervisors

## RESOLUTION NO. 349 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, MCDEVITT, MERLINO, SIMPSON AND STROUGH

### AUTHORIZING COUNTY TREASURER TO CLOSE CAPITAL PROJECTS

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

<u>CAPITAL PROJECT</u>	<u>TITLE</u>	<u>ESTIMATED FUNDS</u>	<u>FUNDING SOURCE</u>
H199	Corinth Road Reconstruction	\$41,276.64	A.9950 910 (Transfers - Capital Projects, Interfund Transfers)
		\$81,575.36	D.9950 910 (County Road, Transfers - Capital Projects, Interfund Transfers)
H200	Quaker Road Signals	\$0.00	N/A
H219	Railroad Track Restoration	\$0.00	N/A
H258	Tannery Bridge over Stony Creek	\$5,194.55	D.9950 910 (County Road, Transfers - Capital Projects, Interfund Transfers)
H338	Lake George Environmental Park	\$23,917.83	A.9950 910 (Transfers - Capital Projects, Interfund Transfers)
H361	Brant Lake Lower Dam	\$6,025.19	D.9950 910 (County Road, Transfers - Capital Projects, Interfund Transfers)

# Warren County Board of Supervisors

## RESOLUTION NO. 350 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### AUTHORIZING THE COUNTY TREASURER TO WRITE OFF UNCOLLECTED STATE/FEDERAL RECEIVABLES FROM CAPITAL PROJECTS

WHEREAS, the Superintendent of the Department of Public Works has requested to write off uncollected State/Federal receivables for the following Capital Projects in the total amount of Ninety-Seven Thousand Seven Hundred Twenty-Six Dollars and Twenty-Two Cents (\$97,726.22), as follows:

<u>CAPITAL PROJECT</u>	<u>TITLE</u>	<u>STATE/FEDERAL RECEIVABLE</u>	<u>FUNDING SOURCE</u>
H199	Corinth Road Reconstruction	\$22,118.22	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)
H200	Quaker Road Signals	\$11,283.00	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)
H219	Railroad Track Restoration	\$534.00	A.9950 910 (Transfers-Capital Projects, Interfund Transfers)
H258	Tannery Bridge over Stony Creek	\$63,791.00	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)

and,

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

RESOLVED, that State/Federal receivables in the amount of Ninety-Seven Thousand Seven Hundred Twenty-Six Dollars and Twenty-Two Cents (\$97,726.22) have been deemed uncollectible and such amounts be written off by the County Treasurer, as outlined above.

# Warren County Board of Supervisors

## RESOLUTION NO. 351 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AMENDING CAPITAL PROJECT NO. H199, CORINTH ROAD RECONSTRUCTION, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020**

RESOLVED, that the Warren County Board of Supervisors does hereby amend Capital Project No. H199, Corinth Road Reconstruction, to reconcile final project costs and reimbursable funds, as follows:

3. The proposed method of financing such Capital Project consists of the following:
  - a. Decrease in Federal share in the amount of Nine Thousand Seven Hundred Ten Dollars and Fifteen Cents (-\$9,710.15);
  - b. Decrease in State share in the amount of Twelve Thousand Four Hundred Eight Dollars and Seven Cents (\$12,408.07);
  - c. Increase in Local share funding in the amount of Twenty-Two Thousand One Hundred Eighteen Dollars and Twenty-Two Cents (\$22,118.22) to be transferred from Budget Code D.9950 910, County Road, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H199 - Corinth Road Reconstruction	\$22,118.22

# Warren County Board of Supervisors

## RESOLUTION NO. 352 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### AMENDING CAPITAL PROJECT NO. H200, QUAKER ROAD SIGNAL IMPROVEMENTS PROJECT, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020

RESOLVED, that the Warren County Board of Supervisors does hereby amend Capital Project No. H200, Quaker Road Signal Improvements Project, to reconcile final project costs and reimbursable funds, as follows:

3. The proposed method of financing such Capital Project consists of the following:
  - a. Decrease in State share in the amount of Eleven Thousand Two Hundred Eighty-Three Dollars (-\$11,283.00);
  - b. Increase in Local share funding in the amount of Eleven Thousand Two Hundred Eighty-Three Dollars (\$11,283.00) to be transferred from Budget Code D.9950 910, County Road, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and

be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H200 - Quaker Road Signal Improvements Project	\$11,283.00

# Warren County Board of Supervisors

## RESOLUTION NO. 353 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, MCDEVITT, MERLINO, SIMPSON AND STROUGH

### INCREASING CAPITAL PROJECT NO. H200, QUAKER ROAD SIGNAL IMPROVEMENTS PROJECT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020

RESOLVED, that the Warren County Board of Supervisors does hereby increase Capital Project No. H200, Quaker Road Signal Improvements Project, as follows:

1. Capital Project No. H200, Quaker Road Signal Improvements Project is hereby increased in the amount of One Hundred Thirty-Six Thousand Six Hundred Forty-Seven Dollars and Forty-Three Cents (\$136,647.43).
2. The estimated total cost of Capital Project No. H200, Quaker Road Signal Improvements Project is now Six Hundred Nine Thousand One Hundred Forty-Seven Dollars and Forty-Three Cents (\$609,147.43).
3. The proposed method of financing the increase in such Capital Project consists of the following:
  - a. Local share funding in the amount of Forty-One Thousand Five Hundred Four Dollars and Ninety-One Cents (\$41,504.91), to be transferred from Budget Code A.9950 910, Transfers-Capital Projects, Interfund Transfers; and
  - b. Local share funding in the amount of Ninety-Five Thousand One Hundred Forty-Two Dollars and Fifty-Two Cents (\$95,142.52), to be transferred from Budget Code D.9950 910, County Road, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H200 - Quaker Road Signal Improvements Project	\$136,647.43

# Warren County Board of Supervisors

## RESOLUTION NO. 354 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### AMENDING CAPITAL PROJECT NO. H219, RAILROAD TRACK RESTORATION PROJECT, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AMENDING WARREN COUNTY BUDGET FOR 2020

RESOLVED, that the Warren County Board of Supervisors does hereby amend Capital Project No. H219, Railroad Track Restoration Project, to reconcile final project costs and reimbursable funds, as follows:

3. The proposed method of financing such Capital Project consists of the following:
  - a. Decrease in Federal share in the amount of Four Hundred Twenty-Seven Dollars and Twenty Cents (-\$427.20);
  - b. Decrease in State share in the amount of One Hundred Six Dollars and Eighty Cents (-\$106.80);
  - c. Increase in Local share funding in the amount of Five Hundred Thirty-Four Dollars (\$534.00) to be transferred from Budget Code A.9950 910, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H219 - Railroad Track Restoration Project	\$534.00

# Warren County Board of Supervisors

## RESOLUTION NO. 355 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

**AMENDING CAPITAL PROJECT NO. H258, WARRENSBURG ROAD (CR 3) OVER STONY CREEK (TANNERY BRIDGE) PROJECT, TO CORRECT THE FUNDING SOURCES; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020**

RESOLVED, that the Warren County Board of Supervisors does hereby amend Capital Project No. H258, Warrensburg Road (CR 3) over Stony Creek (Tannery Bridge) Project, to reconcile final project costs and reimbursable funds, as follows:

3. The proposed method of financing such Capital Project consists of the following:
  - a. Decrease in Federal share in the amount of Fifty-Three Thousand Seven Hundred Nineteen Dollars (-\$53,719.00);
  - b. Decrease in State share in the amount of Ten Thousand Seventy-Two Dollars (-\$10,072.00);
  - c. Increase in Local share funding in the amount of Sixty-Three Thousand Seven Hundred Ninety-One Dollars (\$63,791.00) to be transferred from Budget Code D.9950 910, County Road, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H258 - Warrensburg Road (CR 3) over Stony Creek (Tannery Bridge) Project	\$63,791.00

# Warren County Board of Supervisors

## RESOLUTION NO. 356 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### INCREASING CAPITAL PROJECT NO. H384, CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020

RESOLVED, that the Warren County Board of Supervisors does hereby increase Capital Project No. H384, CR 11 over Finkle Brook Culvert Replacement, as follows:

1. Capital Project No. H384, CR 11 over Finkle Brook Culvert Replacement is hereby increased in the amount of Twenty-Three Thousand One Hundred Fifty-Five Dollars and Fifty-Six Cents (\$23,155.56).
2. The estimated total cost of Capital Project No. H384, CR 11 over Finkle Brook Culvert Replacement is now Eight Hundred One Thousand Nine Hundred Fifteen Dollars and Fifty-Six Cents (\$801,915.56).
3. The proposed method of financing the increase in such Capital Project consists of the following:
  - a. Local share funding in the amount of Twenty-Three Thousand One Hundred Fifty-Five Dollars and Fifty-Six Cents (\$23,155.56), to be transferred from Budget Code A.9950 910, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H384 - CR 11 over Finkle Brook Culvert Replacement	\$23,155.56

# Warren County Board of Supervisors

## RESOLUTION NO. 357 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**ESTABLISHING CAPITAL PROJECT NO. H401, SAGAMORE ROAD RETAINING WALL;  
AUTHORIZING TRANSFER OF FUNDS; AND  
AMENDING WARREN COUNTY BUDGET FOR 2020**

RESOLVED, that the Warren County Board of Supervisors does hereby establish Capital Project No. H401, Sagamore Road Retaining Wall, as follows:

1. Capital Project No. H401, Sagamore Road Retaining Wall, is hereby established.
2. The estimated cost of such Capital Project is the amount of One Hundred Thousand Dollars (\$100,000).
3. The proposed method of financing such Capital Project consists of the following:
  - a. Transfer of funds in the amount of One Hundred Thousand Dollars (\$100,000) from Budget Code A.9950 910, Transfers-Capital Projects, Interfund Transfers,

and be it further

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to transfer funds in the amount of One Hundred Thousand Dollars (\$100,000) to Capital Project H401, Sagamore Road Retaining Wall, and be it further

RESOLVED, that the Warren County Budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to advance the funds up to the amount indicated below on an as-needed basis:

<u>ADVANCE TO</u>	<u>AMOUNT</u>
H401 - Sagamore Road Retaining Wall	\$100,000.00

# Warren County Board of Supervisors

## RESOLUTION NO. 358 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH**

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE DEPARTMENT OF PUBLIC WORKS BUDGET; AMENDING 2020 WARREN COUNTY BUDGET**

WHEREAS, the Superintendent of the Department of Public Works has requested funding in the amount of One Hundred Thousand Dollars (\$100,000) to cover the cost of the engineering work for Capital Project H.401, Sagamore Road Retaining Wall, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed One Hundred Thousand Dollars (\$100,000) from the General Fund Unappropriated Surplus to the following budget code:

CODE	DEPARTMENT	AMOUNT
A.9950 910	Transfers-Capital Projects, Interfund Transfers	\$ 100,000

and be it further

RESOLVED, that the Warren County Budget for 2020 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 359 OF 2020

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, McDEVITT, MERLINO, SIMPSON AND STROUGH

### INCREASING CAPITAL PROJECT NO. H254, FIRE TRAINING CENTER PROJECT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2020

RESOLVED, that the Warren County Board of Supervisors does hereby increase Capital Project No. H254, Fire Training Center Project, as follows:

1. Capital Project No. H254, Fire Training Center Project is hereby increased in the amount of Twelve Thousand Nine Hundred Seven Dollars and Ninety-Three Cents (\$12,907.93).
2. The estimated total cost of Capital Project No. H254, Fire Training Center Project is now Six Hundred Forty Thousand Eighty-One Dollars and Thirty-Seven Cents (\$640,081.37).
3. The proposed method of financing the increase in such Capital Project consists of the following:
  - a. Local share funding in the amount of Twelve Thousand Nine Hundred Seven Dollars and Ninety-Three Cents (\$12,907.93), to be transferred from Budget Code H.254.9950 2390, Fire Training Center Project, Capital Projects, Share of Joint Activity, Govt,

and be it further

RESOLVED, that the Warren County budget for 2020 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Treasurer to transfer the funds in the amount indicated below:

<u>TRANSFER TO</u>	<u>AMOUNT</u>
H254 - Fire Training Center Project	\$12,907.93

# Warren County Board of Supervisors

## RESOLUTION NO. 360 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, CONOVER, GERAGHTY, BEATY, BRAYMER, MCDEVITT, MERLINO, SIMPSON AND STROUGH**

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS;  
AMENDING 2020 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed Six Hundred Seventy-Seven Dollars and Twenty-Two Cents (\$677.22) from the Computer Reserve Fund Budget Code A.895.00 to the following Departmental budget:

PROJECT	TITLE	AMOUNT
A.3640 220.1	Civil Defense, Office Equipment- Reserve	\$677.22

and be it further,

RESOLVED, that the Warren County Budget for 2020 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 361 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, HOGAN, BEATY, MERLINO, SIMPSON AND STROUGH**

**APPROVING AND ADOPTING WARREN COUNTY FORECLOSURE AUCTION 2020  
SPECIAL GUIDELINES RELATED TO COVID-19 APPLICABLE TO THE SALE OF  
PARCELS ACQUIRED BY THE COUNTY BY REASON OF  
FORECLOSURE OF TAX LIENS**

WHEREAS, the County has adopted terms and conditions of sale applicable to those parcels acquired by the County by reason of the foreclosure of tax liens, said terms being last amended by Resolution Nos. 379 of 2011, 514 of 2012, 485 of 2013, 236 of 2014, 378 of 2014 and 339 of 2019, and

WHEREAS, the Director of the Real Property Tax Services Department is requesting special guidelines for the 2020 auction as a result of the COVID 19 pandemic, in addition to the adopted terms and conditions of sale, now, therefore, be it

RESOLVED, that the Warren County Foreclosure Auction 2020 Special Guidelines Related to COVID, as attached hereto in Schedule "A," are hereby adopted by the Warren County Board of Supervisors for the year 2020 only.

SCHEDULE A

**WARREN COUNTY FORECLOSURE AUCTION 2020  
SPECIAL GUIDELINES RELATED TO COVID**

1. No more than fifty (50) people at any given time will be allowed into the County Courthouse for the Warren County Tax Foreclosure Auction.
2. Only registered bidders will be allowed to enter the Courthouse. NO spectators or anyone who has not registered to participate in the Auction will be allowed to enter the Courthouse.
3. Anyone that enters the Courthouse for the Warren County Tax Foreclosure Auction must wear a face mask at all times within the Courthouse, and must sanitize their hands prior to entering the Courthouse.
4. All persons who wish to enter the Courthouse and participate in the Warren County Tax Foreclosure Auction must complete and sign the attached COVID screening form.
5. Register only for the towns in which the property or properties you are interested in bidding on are located. The Auction will pause after the end of the sale for each town, and the people who are present in the Courthouse will leave the Courthouse before the sale for the next town begins. The people who have registered to bid for properties in the next town will then enter the Courthouse for the Auction. If you are not registered to bid on properties in the upcoming town, you cannot remain in the Courthouse.

SCHEDULE A

SCREENING FORM FOR: \_\_\_\_\_

According to the CDC, the term “symptomatic” includes the following symptoms or combinations of symptoms: Fever, cough, shortness of breath, or at least two of the following symptoms: fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell.

Date:	<b><i>IF YOU ANSWER YES TO ANY OF THESE QUESTIONS, OR IF YOU FEEL ILL DURING THE DAY TODAY, PLEASE CONTACT YOUR HEALTHCARE PROVIDER IMMEDIATELY</i></b>		
1. Do you have a fever (over 100.4) today?  <input type="radio"/> YES <input type="radio"/> NO  <input type="radio"/> DO NOT HAVE A THERMOMETER	2. Have you tested positive for COVID-19 in the past 14 days?  <input type="radio"/> YES <input type="radio"/> NO	3. Have you knowingly been in close or proximate contact in the past 14 days with anyone who has tested positive for COVID-19 or who has or had symptoms of COVID-19?  <input type="radio"/> YES <input type="radio"/> NO	4. Have you experienced any symptoms (as defined above) in the past 14 days?  <input type="radio"/> YES <input type="radio"/> NO
I hereby attest that the information provided above is true:  _____ Signed <span style="float: right;">_____</span> <span style="float: right;">Date</span>			

# Warren County Board of Supervisors

## RESOLUTION NO. 362 OF 2020

**RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, HOGAN, BEATY, MERLINO, SIMPSON AND STROUGH**

**AMENDING RESOLUTION NO. 339 OF 2019; APPROVING AND ADOPTING THE WARREN COUNTY REAL ESTATE AUCTION 2020 TERMS AND CONDITIONS OF SALE APPLICABLE TO THE SALE OF PARCELS ACQUIRED BY THE COUNTY BY REASON OF THE FORECLOSURE OF TAX LIENS**

WHEREAS, the County has adopted terms and conditions of sale applicable to those parcels acquired by the County by reason of the foreclosure of tax liens, said terms being last amended by Resolution Nos. 379 of 2011, 514 of 2012, 485 of 2013, 236 of 2014, 378 of 2014 and 339 of 2019, and

WHEREAS, the Director of the Real Property Tax Services Department is requesting to amend the Terms and Conditions of Sale and the Purchase Offer Memorandum to reduce the buyer premium amount from six percent (6%) to five percent (5%), now, therefore, be it

RESOLVED, that the Terms and Conditions of Sale and the Purchase Offer Memorandum be, and hereby are amended to revise the buyer premium as outlined above.

# Warren County Board of Supervisors

## RESOLUTION NO. 363 OF 2020

### RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON AND MERLINO

#### AMENDING LICENSE AGREEMENT WITH REVOLUTION RAIL COMPANY FOR USE OF COUNTY OWNED RAILROAD TRACKS, TO INCLUDE PORTION USE OF THE SOUTHERN PORTION AND INCREASE AMOUNT OWED IN 2020

WHEREAS, pursuant to Resolution No. 74 of 2020 (previously amended by Resolution No. 214 of 2020), the Warren County Board of Supervisors authorized the Chairman of the Board of Supervisors to execute a license agreement with Revolution Rail Company, 3 Railroad Place, North Creek, New York 12853, for use of County owned railroad tracks, for a term commencing January 1, 2020 and terminating December 31, 2020, with the option for four (4) additional one (1) year renewals, for an amount of Twenty Thousand Dollars (\$20,000) for 2020, no less than Thirty-Five Thousand Dollars (\$35,000) for 2021 and no less than Forty Thousand Dollars (\$40,000) in years 2022, 2023 and 2024, and

WHEREAS, the Superintendent of Public Works is requesting an amendment agreement to include use of the southern portion of the railroad tracks (mile post 60 to mile post 55) for the remainder of 2020, resulting in a One Thousand Dollar (\$1,000) increase in the 2020 fee, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute an amendment agreement with Revolution Rail Company to include the southern portion of the railroad tracks (mile post 60 to mile post 55) for the remainder of 2020 and increase the fee paid to Warren County by One Thousand Dollars (\$1,000) for a total owed to Warren County for 2020 of Twenty One Thousand Dollars (\$21,000), for a term commencing upon execution by both parties and terminating December 31, 2020, with the option for four (4) additional one (1) year renewals upon mutual agreement, in a form approved by the County Attorney, and be it further

RESOLVED, other than the changes outlined herein, all other terms and conditions of Resolution No. 214 of 2020 will remain the same.