

Warren County Board of Supervisors

**AGENDA
FRIDAY APRIL 16, 2021
BOARD MEETING**



10:00 a.m. Call Meeting to Order

Pledge of Allegiance - Supervisor Smith

Roll Call

Motion to approve minutes of the March 19, 2021 Board Meeting, subject to correction by the Clerk

Presentation of Employee of the Month Award

Presentation of Certificate of Excellence to 2020 SUNY Adirondack Graduates Tina Ngyuen and Matthew Thung *2020 presentation was postponed due to COVID-19 pandemic*

Chair declares public hearing open on proposed Local Law No. 3 of 2021, entitled "Dispensing with the Requirements Under New York State General Municipal Law Section 352 and Authorizing a Lease of Airport Real Property" and requests Clerk of the Board read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

Chair declares public hearing open on possible solar lease at the Warren County (Floyd Bennett Memorial) Airport and requests Clerk of the Board read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

Chair declares public hearing open on possible submission of one or more Community Development Block Grant (CDBG) applications for the 2020 program year funds available through the Coronavirus Aid, Relief and Economic Security (CARES) Act and requests Clerk of the Board read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

Report by the Chair of the Board

Reports by Committee Chairs

Report by County Administrator

Report by County Attorney

Reading of Communications

Reading of Resolutions

Discussion and Public Comment on Proposed Resolutions

Requests for roll call votes

Vote on Resolutions

Privilege of the Floor and Public Comment

Announcements

Motion to Adjourn

The Board of Supervisor's meeting had an audio glitch near the 02:00 mark during our live video. The audio version link below will provide the missing audio from the April 16, 2021 Board Meeting.

<https://youtu.be/sbzG7Vlxw-Q>

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PR05		PROCLAMATION - NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
PR06		PROCLAMATION - CRIME VICTIMS' RIGHTS WEEK
PR07		PROCLAMATION - FAIR HOUSING MONTH
PR08		PROCLAMATION - MENTAL HEALTH AWARENESS MONTH
PR09		PROCLAMATION - OLDER AMERICANS MONTH
PR10		PROCLAMATION - LAW DAY IN WARREN COUNTY
PR11		PROCLAMATION - DO SOMETHING GOOD FOR YOUR NEIGHBOR DAY
112	ROLL CALL	FINANCE - MAKING SUPPLEMENTAL APPROPRIATIONS
113	ROLL CALL	FINANCE - AMENDING WARREN COUNTY BUDGET FOR 2021 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY
114	ROLL CALL	COUNTY FACILITIES (<i>AIRPORT</i>) - ACCEPTING PROPOSAL AND AUTHORIZING LAND LEASE WITH NEXAMP SOLAR FOR FLOYD BENNETT MEMORIAL AIRPORT SOLAR OR OTHER APPROVED USE LAND LEASE (WC 44-20) <i>RESOLUTION REVISED FROM THE FLOOR</i>
115	ROLL CALL	COUNTY FACILITIES (<i>AIRPORT</i>)-ENACTING LOCAL LAW NO. 3 OF 2021, ENTITLED "DISPENSING WITH THE REQUIREMENTS UNDER NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 352 AND AUTHORIZING A LEASE OF AIRPORT REAL PROPERTY"
116		COUNTY FACILITIES (<i>DEPARTMENT OF SOCIAL SERVICES</i>) - RATIFYING THE ACTIONS OF THE COMMISSIONER OF SOCIAL SERVICES IN EXECUTING A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HEALTH DIVISION OF ADULT CARE FACILITIES FOR FUNDING UNDER THE ENHANCING THE QUALITY OF ADULT LIVING (EQUAL) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES
117		CRIMINAL JUSTICE (<i>ASSIGNED COUNSEL</i>) - AUTHORIZING CONTINUATION OF AGREEMENT WITH LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. FOR FAMILY COURT CONFLICT CASES

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119		CRIMINAL JUSTICE (<i>ASSIGNED COUNSEL</i>) - AUTHORIZING AGREEMENT WITH LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. TO PROVIDE PARALEGAL/CASE MANAGEMENT SUPPORT SERVICES FOR INDIGENT PERSONS FOR THE ASSIGNED COUNSEL OFFICE (OILS CONTRACT #C100052)
120		CRIMINAL JUSTICE (<i>ASSIGNED COUNSEL</i>) - AMENDING AGREEMENT WITH A SUPERVISING ATTORNEY FOR THE ASSIGNED COUNSEL OFFICE, TO ADD LANGUAGE REGARDING REIMBURSEMENT FOR FEES AND DISBURSEMENTS
121		CRIMINAL JUSTICE (<i>PUBLIC DEFENDER</i>) - AMENDING RESOLUTION NO. 32 OF 2020, WHICH AUTHORIZED AN AMENDMENT AGREEMENT WITH RELX D/B/A LEXISNEXIS FOR A SUBSCRIPTION FOR A LAW LIBRARY RESEARCH SYSTEM FOR THE PUBLIC DEFENDER'S OFFICE, TO UTILIZE LEXISNEXIS LEGAL RESEARCH
122		CRIMINAL JUSTICE (<i>PUBLIC DEFENDER</i>) - AUTHORIZING EXTENSION OF THE PUBLIC DEFENSE CASE MANAGEMENT SYSTEM MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH NEW YORK STATE DEFENDERS ASSOCIATION, INC. FOR THE PUBLIC DEFENDER'S OFFICE
123		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING UNDER THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT
124		GOVERNMENTAL OPERATIONS & ADVOCACY (<i>BOARD OF ELECTIONS</i>) - AUTHORIZING AGREEMENT WITH NEEDHAM RISK MANAGEMENT RESOURCE GROUP, LLC TO PRODUCE A COMPUTER-BASED TRAINING VIDEO FOR TRAINING OF BOARD OF ELECTIONS INSPECTORS

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126		GOVERNMENTAL OPERATIONS & ADVOCACY (COUNTY CLERK) - COMMEMORATING THE 100TH ANNIVERSARY OF THE NEW YORK STATE ASSOCIATION OF COUNTY CLERKS AND THE 100TH ANNIVERSARY OF DMV OPERATIONS IN THE WARREN COUNTY CLERK'S OFFICE
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129		HEALTH SERVICES (OFFICE FOR THE AGING) - AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN WARREN COUNTY OFFICE FOR THE AGING AND WARREN COUNTY HEALTH SERVICES TO PROVIDE ASSISTANCE IN ANSWERING PHONES AND REGISTERING SENIORS FOR COVID VACCINE CLINICS
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132		PUBLIC SAFETY (OFFICE OF EMERGENCY SERVICES) - APPOINTING MEMBERS OF WARREN COUNTY EMS ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES
133		PUBLIC SAFETY (OFFICE OF EMERGENCY SERVICES) - APPOINTING MEMBERS OF WARREN COUNTY FIRE ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES
134		PUBLIC SAFETY (OFFICE OF EMERGENCY SERVICES) - APPROVING REVISED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN FOR WARREN COUNTY FOR OFFICE OF EMERGENCY SERVICES

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136		PUBLIC SAFETY (<i>SHERIFF</i>) - AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROCURE FOOD PRODUCTS FOR THE WARREN COUNTY CORRECTIONAL FACILITY
137		PUBLIC WORKS (<i>PARKS, RECREATION & RAILROAD</i>) - AMENDING LICENSE AGREEMENT WITH REVOLUTION RAIL COMPANY FOR USE OF COUNTY OWNED RAILROAD TRACKS, TO INCLUDE HADLEY AND THURMAN RAIL STATIONS
138		TOURISM & OCCUPANCY TAX COORDINATION (<i>TOURISM</i>) - AUTHORIZING AGREEMENT WITH LAKE PLACID ADVERTISERS WORKSHOP, INC. TO PROVIDE WEB REDESIGN/WEBSITE HOSTING AND PRODUCTION SERVICES FOR THE TOURISM DEPARTMENT
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140	ROLL CALL	PERSONNEL & ADMINISTRATION - AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2021
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146		FINANCE (<i>COUNTY ADMINISTRATOR</i>) - ADOPTING AMENDED WARREN COUNTY TRAVEL, EDUCATION AND VEHICLE USE POLICY
147		FINANCE (<i>COUNTY ADMINISTRATOR</i>) - ADOPTING REVISED CREDIT CARD POLICY FOR WARREN COUNTY
148	ROLL CALL	FINANCE (<i>DPW</i>) - INCREASING CAPITAL PROJECT NO. H351, CR44 OVER HUDSON RIVER BRIDGE PAINTING PROJECT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2021
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150	ROLL CALL	FINANCE (<i>DPW</i>) - ESTABLISHING 2021 ROAD FUND PROJECT AND AMENDING WARREN COUNTY BUDGET FOR 2021
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152		FINANCE (<i>EMPLOYMENT & TRAINING ADMINISTRATION</i>) - AUTHORIZING AGREEMENT WITH GREATER GLENS FALLS TRANSIT AND THE ALLOCATION OF FUNDS TO EXPAND THE CDPHP CYCLE BIKE SHARE PROGRAM TO WARREN COUNTY AS REQUESTED BY THE EMPLOYMENT & TRAINING ADMINISTRATION
153	ROLL CALL	FINANCE (<i>INFORMATION TECHNOLOGY</i>) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS; AND AMENDING WARREN COUNTY BUDGET

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154	ROLL CALL	FINANCE (<i>REAL PROPERTY TAX SERVICES</i>) - AUTHORIZING THE APPROPRIATION OF ADDITIONAL FUNDS FROM THE ENVIRONMENTAL TESTING RESERVE FUND TO THE REAL PROPERTY TAX SERVICES BUDGET TO PAY BRONZE CONTRACTING, LLC FOR REMOVAL OF CONTAMINATED SNOW FROM TOWN OF QUEENSBURY TAX MAP PARCEL NO. 302.8-1-2 (275 BAY ROAD); AND AMENDING 2021 WARREN COUNTY BUDGET
155		FINANCE (<i>REAL PROPERTY TAX SERVICES</i>) - ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH AUCTIONS INTERNATIONAL, INC. FOR PROFESSIONAL AUCTIONEER/BROKER TO CONDUCT LAND AUCTION (WC 10-21)

RESOLUTION NOS. 112 - 155 WERE DISTRIBUTED TO THE BOARD OF SUPERVISORS AND POSTED TO THE WARREN COUNTY WEBSITE ON FRIDAY APRIL 9, 2021

Warren County Board of Supervisors

**BOARD MEETING
FRIDAY, APRIL 16, 2021**



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.

Ms. Rachel E. Seeber presiding.

Salute to the flag was led by Supervisor Smith.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Smith, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber-20 Absent -1 Supervisor Hogan

Supervisors Diamond, Leggett, McDevitt, Braymer, Bruno, Driscoll, Frasier, Merlino, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber were physically present, while Supervisors Conover, Smith, Dickinson and Strough attended virtually.

Chairwoman Seeber noted a motion was necessary to approve the minutes of the March 19, 2021 Board Meeting, subject to correction by the Clerk of the Board. The necessary motion was made by Supervisor Geraghty, seconded by Supervisor Shepler and carried unanimously.

Continuing to the presentation of the Employee of the Month Award, Chairwoman Seeber asked Ryan Moore, *County Administrator*, to come forward and accompany her to present the award. Mr. Moore advised they would once again be recognizing an employee who had not only provided excellent service during the pandemic, but also in general and this individual was no exception. He stated this individual and their department had performed excellent throughout the pandemic which he was grateful for. He offered privilege of the floor to Christina Mastrianni, *Deputy Commissioner, Department of Social Services*, to introduce the recipient of this month's award.

Ms. Mastrianni introduced Amy McByrne, *Director, Countryside Adult Home*, informing Ms. McByrne had demonstrated her commitment to the residents and staff at Countryside Adult Home. She mentioned Ms. McByrne had prioritized the health and safety of the residents and staff while promptly implementing the NYS DOH (*New York State Department of Health*) directives. She informed Ms. McByrne worked tirelessly around the clock, often during personal and family time which she did without complaining. She apprised Ms. McByrne showed compassion for the residents and their families and because of her efforts they were proudly able to state that none of the residents of Countryside Adult Home had tested positive for the Coronavirus. She concluded by indicating Ms. McByrne was an exemplary employee and she was thankful for Ms. McByrne's efforts in managing the Facility. A round

of applause was given.

Proceeding with the Agenda review, Chairwoman Seeber welcomed Dr. Kristine Duffy, *President, SUNY Adirondack*, advising as a sponsor of the College, SUNY Adirondack had continued to be a valuable asset to the community and the Board was grateful for the relationship the County had with them and all that they did for the region, as well as the opportunity to partner and work with some of their exceptional interns. She mentioned in 2015 the County established the SUNY Adirondack Certificate of Excellence Award and was handled in collaboration with Washington County every year. She advised this award was given annually to an outstanding graduate of SUNY Adirondack; however, she noted, as a result of the pandemic they were just recognizing the two 2020 graduates. She indicated formal recognition was typically made during the commencement ceremonies, adding the recipients were also asked to attend the June Board meeting to be recognized by the Board. She said as previously mentioned due to the pandemic the students were unable to attend the June 19, 2020 Board Meeting and instead would be recognizing both of those 2020 graduates with a very sincere congratulations for their hard work. She indicated the types of requirements and expectations that were required to be a recipient of this award consisted of the following: individuals who had overcome significant obstacles in the course of pursuing their education; demonstrates academic achievement; exhibits motivation, tenacity and enthusiasm; and was a resident of the County. Chairwoman Seeber extended privilege of the floor to Supervisor Braymer, who served as Chair of the Personnel, Administration & Higher Education Committee, to remotely present a Certificate of Excellence and provide a brief background on why the two recipients were so serving of the recognition.

Supervisor Braymer apprised she was honored to present the award today and provide a brief background on each recipient, who she did not believe were present today, but she would ensure they received their certificates. She thanked Supervisor Wild for doing a video on behalf of the County congratulating the recipients which aired during the commencement ceremony that did take place in 2020. She stated the two recipients were Tina Nguyen and Matthew Thung, the first of which she would like to provide a background on was Ms. Nguyen. She informed Ms. Nguyen graduated from the SUNY Adirondack Nursing Program and had overcome a myriad of obstacles to obtain her degree. She indicated many times for Ms. Nguyen when the combination of work and school appeared as if it may be too overwhelming, but she never gave up. She advised Ms. Nguyen was raised in Syracuse, New York as one of eight children and as the second eldest child she played a big roll in helping to raise her younger siblings. She stated Ms. Nguyen's parents were both refugees from Vietnam who met here in the United States, adding English was Ms. Nguyen's second language. She apprised Ms. Nguyen had made a significant contribution to the community through her healthcare work, informing she had obtained a Peer Support position at the Rode House, which provided mental health support in Warren and Washington Counties, as well as working at Adirondack Urgent Care as a Patient Care Technician. She added Ms. Nguyen had also worked as a CNA (*Certified Nursing Assistant*) at Slate Valley Center in the Town of Granville, New York. She mentioned Ms. Nguyen took these jobs seriously and had been as dedicated to her healthcare job as she was to her studies as a student at SUNY Adirondack. She informed there had been occasions when Ms. Nguyen faltered and had indicated to the staff at SUNY Adirondack that she had lost her confidence; however, she noted, by sheer force of will, dedication and utilizing every resource available to her Ms. Nguyen was successful in completing the degree program and graduating. Supervisor Braymer concluded by congratulating Ms. Nguyen on this accomplishment. A round of applause was given.

Supervisor Braymer stated Mr. Thung had graduated with a degree in Information Technology and Information Security. She advised Mr. Thung grew up in the City of Glens Falls and was the son of Chinese immigrants and a developmentally disabled mother. She said when Mr. Thung was growing up money was always tight and between his fathers work at Flower Drum Song and the social security

income from his mother there was just enough to make ends meet. She informed Mr. Thung started his preparation for post secondary education by joining the SUNY Adirondack Upward Bound Program when he was in 9th grade and though his hard work he was an honor roll student, as well as a member of the National Honor Society when he graduated from Glens Falls High School in 2018. She indicated Mr. Thung had many options for post secondary education, but he ultimately selected SUNY Adirondack due to the financial affordability and proximity to home. She apprised during Mr. Thung's time at SUNY Adirondack he had participated in the Finish in Two Initiative, had a work/study position in the Upward Bound Office, kept his part-time job at Hannaford and tutored for the Accessibility's Office, all while maintaining a 3.8 GPA (*Grade Point Average*). She stated through this uncertain time Ms. Thung had been able to maintain as high academic achievement while serving the community as an essential worker, working 24+ hours a week and he had made it through to graduation. She concluded by congratulating Mr. Thung and thanking him for his service. A round of applause was given.

Supervisor Braymer thanked Dr. Duffy for being in attendance today, adding the candidates for the award in 2021 would go before the Personnel, Administration & Higher Education Committee.

Moving along, Chairwoman Seeber declared the Public Hearing on proposed Local Law No. 3 of 2021, entitled "Dispensing with the Requirements Under New York State General Municipal Law Section 352 and Authorizing a Lease of Airport Real Property" open at 10:13 a.m. and she requested that Amanda Allen, *Clerk of the Board*, read aloud the Notice of Public Hearing, which she proceeded to do.

Mrs. Allen noted she had not received any comments or requests for special accommodations. Chairwoman Seeber advised the County Buildings had been reopened to the public this past Monday and she asked Don Lehman, *Director of Public Affairs*, if he was aware of anyone being present from the public today who wished to speak or had anyone submitted comments to him. Mr. Lehman responded affirmatively, informing he had received an email from Travis Whitehead, *Town of Queensbury Resident*, who indicated he felt leasing the otherwise land at the Airport for solar arrays was an example of the kind of creative stewardship of public lands that he would hope to see from this Board. He apprised Mr. Whitehead stated while the revenue from these leases could only be used to defray airport costs, he believed this was a good use for this revenue, as it strengthened the continued operation of that fine facility by reducing the financial burden on the County. Mr. Lehman advised Mr. Whitehead noted that there were lands east of these leases that were also either assigned to the Airport or owned outright by the County, such as the National Guard Facility, and he would hope that they were looking to do more of the same with these lands, as well.

Mr. Lehman advised as of right now no comments had been made regarding this Public Hearing via Youtube.

Chairwoman Seeber once again called for anyone wishing to speak on Proposed Warren County Local Law No. 3 of 2021; there being no response she closed the Public Hearing at 10:16 a.m.

Continuing with the Agenda review, Chairwoman Seeber declared the Public Hearing on possible solar lease at the Warren County (Floyd Bennett Memorial) Airport open at 10:16 a.m. and she requested that Mrs. Allen read aloud the Notice of Public Hearing, which she proceeded to do. Chairwoman Seeber then called for any public comment.

Mrs. Allen noted she had not received any written comments or requests for special accommodations. Chairwoman Seeber asked Mr. Lehman if he had received any public comments regarding this Public Hearing and Mr. Lehman replied the only comment he had received that was applicable to this which was the one he had inadvertently read during the prior Public Hearing from Mr. Whitehead.

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Chairwoman Seeber once again called for anyone wishing to speak on possible solar lease at the Warren County (Floyd Bennett Memorial) Airport; there being no response she closed the Public Hearing at 10:18 a.m.

Next, Chairwoman Seeber declared the Public Hearing on possible submission of one or more *Community Development Block Grant* (CDBG) applications for the 2020 program year funds available through the *Coronavirus Aid, Relief and Economic Security* (CARES) Act open at 10:18 a.m. and she requested that Mrs. Allen read aloud the Notice of Public Hearing, which she proceeded to do. Chairwoman Seeber then called for any public comment.

Wayne LaMothe, *County Planner*, apprised part of the required information for the Public Hearing consisted of informing under this funding round there were five areas that would be supported as they related to COVID-19 issues. He said the County was considering submitting an application under the area of improving air quality in public spaces at public facilities specifically for Countryside Adult Home. He stated the application would be submitted for an estimated cost of \$622,000 for replacement of the HVAC (*Heating, Ventilation and Air Conditioning*) system in that facility to meet the MERV 13 CDC (*Center for Disease Control*) recommendations. He advised he had obtained a preliminary report from Clark Patterson Lee which would further refine that figure and was required as part of the submission process. He mentioned another thing he needed to note was that Resolution No. 28 of 2020 authorized the submission of a grant application for CDBG funds specifically for replacement of the roof at Countryside Adult Home and was in no manner related to what was being proposed here, adding there was no duplication of funding requests. He stated this was a certification he was required to provide as part of the Public Hearing. He informed a preliminary application had been submitted to the State on April 2nd, on April 6th he participated in a conference call regarding this application and on April 7th they invited him to submit a full application.

Chairwoman Seeber once again called for anyone wishing to speak on possible submission of one or more (CDBG) applications for the 2020 program year funds available through the CARES Act; but there was no response. She asked Mr. Lehman if he had received any public comment regarding this Public Hearing and he replied in the negative. Chairwoman Seeber closed the Public Hearing at 10:23 a.m.

Proceeding to the report by the Chair of the Board, Chairwoman Seeber apprised she had a very busy month and instead of reviewing all of the dates of the meetings she had attended she would file a report with the Clerk of the Board. She stated she would like to highlight a few notable things that had taken place over the last month, the first of which was the Memorial Ceremony that took place this past Tuesday, April 13 that honored Public Health. She thanked everyone who attended the ceremony to recognize and support the County's Public Health Department, its staff and volunteers. She informed a beautiful memorial tree had been planted in front of the Municipal Center Building for the purpose of honoring, respecting and providing condolences to the individuals whose lives had been lost and continue to lose. She mentioned National Public Health Week took place from April 5 -11, 2021 during which each day there had been an emphasis on the hard work that their Public Health partners had provided from rebuilding, to advancing racial equity, strengthening communities, galvanizing climate justice, building COVID-19 resilience, uplifting mental health and wellness and evaluating the essential and healthcare workforce. She stated letters had been sent on behalf of the Board of Supervisors to every employee within the Public Health Department, as well as recognizing all of the volunteers who had worked tirelessly in the County with the pandemic rollout and assisting with COVID-19 testing. She apprised she would also like to take this opportunity to acknowledge the County's partners at the State who were managing the mass vaccination site in the Town of Queensbury and had helped the County achieve vaccinating over 45% of its residents. She added it had been one month since the mass vaccination site had been open and as of last Friday around 16,000 vaccinations had been given at the

site through the County's partnership with the State. She officially recognized Sam Parker, who was the County's liaison to the Governors Office and also Chris Collins, who was instrumental in ensuring the mass vaccination site was located in an accessible location, noting she was looking forward to meeting with them this upcoming Tuesday to present them with Certificates of Appreciation. She stated she had also written letters to all of the volunteers at the State level that were in Warren County providing such as exceptional service to its residents. In addition, she mentioned this week she also had the opportunity to recognize that it was National Public Safety Telecommunications Week. She indicated this occurred during the second week of April and the County had honored their Public Safety Telecommunications employees by sending letters to each of these employees in the Sheriff's Office. She added she also had the opportunity to learn more about and tour the Sheriff's Office Dispatch Center with Assemblyman Simpson. She stated she would be taking a hard look at what could be done to continue to support the County's Dispatch Center and she was pleased to note that Supervisor Diamond, who served as Chair of the Public Safety Committee would be taking some time to expand upon what they had learned about the Dispatch Center this week. She explained this was a week long event to celebrate those who dedicated their lives to serving the public. She concluded by thanking all of them for their hard work and dedication. She stated in addition to attending all of the Committee meetings she had attended various other Committee meetings with partners in the community, as well as had the privilege to speak with Women's Advisory Council with the Adirondack Regional Chamber of Commerce. She remarked she was appreciative of the dialogue that took place at this meeting which provided that type of insight to the County's business partners and woman in business and she thanked Supervisor Driscoll for attending the meeting, as well. Chairwoman Seeber advised the Intercounty Legislative Committee of the Adirondacks meeting was held on March 25th during which they discussed at length a resolution that Supervisor Beaty would be presenting at the upcoming meeting of the Governmental Operations & Advocacy Committee regarding access to broadband. She thanked William Farber, *Chairman of the Hamilton County Board of Supervisors*, and NYSAC (*New York State Association of Counties*) for bringing this forward. She thanked all of the members of the Intercounty Legislative Committee of the Adirondacks for their support and dialogue that had taken place over the past several months regarding that resolution. She mentioned there had been several Supervisors who had participated along with her in making a personal video thanking the County Public Health staff for all of their efforts which was also posted on the County social media pages. She informed she was pleased to announce significant headway had been made with the LDC (*Local Development Corporation*) from working with Jim Siplon, *Director, Economic Development Corporation*, and all of the Board Members of the LDC who would continue to work to assist the community. She indicated National Crime Victims' Week began on this upcoming Sunday and information was emailed to them pertaining to attending a small Brick Walkway Ceremony in front of the Municipal Center Building this year which was slightly different than the ceremonies they had held in proper years. She voiced her gratitude to Jason Carusone, *District Attorney*, for continuing on with this tradition. She said what she was hoping to do this week was to continue to honor those who worked in the criminal justice field and provided services to crime victims. She informed National Crime Victims' Week was providing to recommit to ensuring that accessible, appropriate and trauma informed services were offered to all crime victims, adding this Board would be proclaiming the week of April 18-25, 2021 as Crime Victims' Rights Week. Chairwoman Seeber mentioned there were several other Proclamations included in the Resolution Packet that were equally important and the Director of Public Affairs would be contacting the Supervisors on the appropriate Committees as they continued to do outreach on social media and on the County website to highlight these hard working organizations and the different awareness efforts that had taken place during this month and into next month. In conclusion, Chairwoman Seeber apprised she would like to congratulate Mrs. Allen, who had been tirelessly working over the past few months on NACO's (*National Association of Counties*) Leadership Academy which she graduated from yesterday. She remarked she was pleased the County had a graduate at the national level to continue to act as a roll model and set examples for the Board specifically on what leadership should look like,

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as well as to bring many ideas to the Board on how they could continue to work hard to lead the community. She stated she wanted to congratulate Mrs. Allen on behalf of the Board on this achievement. A round of applause was given.

Moving along, Chairwoman Seeber voiced her appreciation of all of the Committee Chairs hard work over the last three month and indicated at this point she would be requesting that each Chair of a Committee by alphabetical order of their last name provide a report on the past months meetings and activities.

Supervisor Beaty began his report of the activities of the Finance Committee by offering privilege of the floor to Mike Swan, *County Treasurer*, to provide a report on the County finances.

Mr. Swan advised his Office was in the process of completing the closing of the County books for 2020 which would be finished next week; he added they would be meeting the State's deadline to file the report with them as they had during his entire tenure as County Treasurer. He stated a copy of this report would be forward to the entire Board for review to ensure they were aware of the financial status of the County and he encouraged anyone with questions regarding same to contact him.

Mr. Swan mentioned in conjunction with the closing of the books his Office was also beginning to determine items that may qualify for the Stimulus Funding Reimbursements from the Federal Government in regard to loss revenues, etc. to get a better idea where these funds could be spent once they had a better idea what the qualified expenses were. He added they did not have the full guidelines regarding this funding available to them; however, he noted, he was aware Chairwoman Seeber would be establishing a Working Group whose purpose was to determine the appropriate use for these funds.

In regard to Occupancy Tax, Mr. Swan stated the County had collected around \$4.2 million which was around a 14% decline as compared to the previous years collections. He advised this week he had met with Supervisor Geraghty, Mr. Moore and Ryan Dickey, *Second Assistant County Attorney*, to discuss Airbnb and other short-term rental internet providers which they would be discussing the status of at the next meeting of the Tourism & Occupancy Tax Coordination Committee. He informed next week his Office would be mailing out about 450 letters to short-term rental properties that were not currently registered with Warren County notifying them that they should be collecting and submitting occupancy tax to the County for these properties which he was anticipating a significant response from.

Supervisor Leggett questioned whether Mr. Swan was aware of why there was an increase in the amount of sales tax revenue the State provided to the County in March and Mr. Swan replied he was unsure, as the only explanation that had been provided to him was that the State had made an adjustment, but no reason was given for this increase. He added this increase was across the Board for all of the other Counties in the State.

Supervisor Beaty advised the Finance Committee had approved proposed Resolution Nos. 112-113 and 144-155 and he provided a brief overview of each.

In regard to the Governmental Operations & Advocacy Committee, Supervisor Beaty stated they had approved proposed Resolution Nos. 124-127 and he provided a brief overview of each.

Chairwoman Seeber indicated the Executive Committee had not met last month.

Supervisor Braymer advised the Personnel, Administration & Higher Education Committee had met on April 1st, approving proposed Resolution Nos. 140-143. She stated the next meeting was scheduled for

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April 29th where an update on County litigation would be provided, as well as commencing with a review of the County Ethics Policy to do some necessary updates along with discussing the hiring process for the County Attorney position. She concluded by thanking the County Department Heads and their staff for all of the great work they had been doing.

Supervisor Conover stated the Public Works Committee had met on March 23rd, approving proposed Resolution No. 137 which he provided a brief overview of. He noted Resolution No. 140 which was approved by the Personnel, Administration & Higher Education Committee included the creation of Solid Waste/Recycling Compliance Coordinator within the Department of Public Works which he believed would be beneficial for the County. He stated all of the other matters approved by the Public Works Committee were referenced by Supervisor Beaty during his report on the Finance Committee meeting.

Supervisor Diamond informed the Public Safety Committee had approved proposed Resolution Nos. 132-136 and he provided a brief overview of each. He apprised the Public Safety Committee would be meeting again on April 19th during which they would be discussing Section 6 of Local Law No. 6 of 2014 entitled "Warren County Ethics and Disclosure Law" regarding Nepotism. He said this had not been included as an item on the agenda for the meeting, but he wanted to provide the Committee members with advanced notice that this matter would be discussed there and he encouraged anyone with questions to give him a call.

Supervisor Dickinson indicated he had nothing to report on.

Supervisor Driscoll advised the Human Services Committee had met on March 22nd where they approved proposed Resolution No. 130 which he provided a brief overview of. He indicated the next meeting was scheduled for April 19th where they would be reviewing and considering some requests for Countryside Adult Home presented by Ms. McByrne.

Supervisor Frasier reported on the March 22nd meeting of the Health Services Committee where Mental health, Office for the Aging and Public Health had made presentations. She stated the Committee approved proposed Resolution Nos. 128-129 and she provided a brief overview of each. She added the next Committee meeting was scheduled for Monday, April 19th.

Supervisor Geraghty informed the Tourism & Occupancy Tax Coordination Committee had approved proposed Resolution Nos. 138-1389 which he requested support of. In regard to occupancy tax collection on short-term rentals, he indicated these properties were required to register with the County Treasurers Office and begin paying the 4% tax to the County and he asked that they pass this information along to those in their community who owned short-term rentals. He added he was working on the Occupancy Tax Spending Plan which was yet to be finalized; however, he apprised, they should suggest to individuals interested in receiving occupancy tax funding this year to submit their applications to the County. He added he anticipated the Occupancy Tax Spending Plan would be completed by June of this year.

Chairwoman Seeber asked Supervisor Frasier, as Vice-Chair of the Economic Growth & Development Committee, to deliver the Committee report on behalf of Supervisor Hogan, who was absent. Supervisor Frasier advised the Economic Growth & Development Committee had met on March 23rd and she recognized Brian Bearor, *President/CEO, Greater Glens Falls YMCA*, Andrea Deepe, *CEO, Warren Washington Association of Mental Health*, and Michael Bittel, *President/CEO, Adirondack Regional Chamber of Commerce*, for taking the time to meet with the Committee and discuss the economic impact of Not-for-Profits. She mentioned the Committee approved proposed Resolution Nos. 123-152

and she provided a brief overview of each.

Supervisor Leggett advised the Criminal Justice Committee had met on March 22nd, approving proposed Resolution Nos. 117-122 and he provided a brief summary of each.

Supervisor Magowan recognized Mr. Hajos and Supervisors Leggett, Strough and Wild for taking a significant amount of time out of their busy schedules to review all of the proposals received for land lease at the County Airport. He proceeded with providing a brief overview of proposed Resolution Nos. 114-116 which were approved by the Committee.

Supervisor Merlino reported on the March 23rd meeting of the Park Operations & Management Committee where the Robert Bais, *Mayor, Village of Lake George*, advised them of the twelve events that were booked for the Festival Commons at the Charles R. Wood Park for this year. He added the Committee also approved proposed Resolution No. 131 which he provided a brief overview of. He stated he had met with Mayor Blais, Mr. Hajos and Kathryn Muncil, *CEO, Fort William Henry*, to work on a proposed fee schedule for the use of the Festival Commons space which would be presented at the April 20th Committee meeting for approval, as he believed it was necessary for them to establish set fees to ensure their expenses were covered. He advised the meeting with the organizers for the proposed Ice Castle event was scheduled for April 26th and would consist of them being open five days a week starting in December and ending in January. He remarked this event would be very beneficial for the County because it would attract visitors to the region during the off-season.

Supervisor Smith apologized for not being able to attend the Extension Services Committee meeting in person, but she was unable due to having another commitment immediately following the conclusion of the meeting. She stated Amy Sabattis, *Association Public Affairs Liaison, Cornell Cooperative Extension*, indicated to her they had an overwhelming response to the annual plant sale with most of the items offered already sold out. She mentioned on May 5th, 12th and 19th at 6:00 p.m. they would be holding a New York State Virtual Forestry event for both the beginners and advanced levels. She explained the beginner class was for youth ages ten and over who had little or no experience with tree identification, maps and compasses and then the advanced class was for youth ages thirteen and over that had a significant amount of experience. She informed on May 18th and 25th they would be holding the New York Logger Training Course at the Warren County Fish Hatchery and the Warren County Fairgrounds properties. She indicated they would be offering another Wild Edible Workshop again this year which was a popular program on June 8th, 15th and 22nd and consisted of teaching individuals how to identify harvest and prepare wild growing plants that could be used safely for food. She encouraged anyone who would like more information regarding any of these programs to contact their Office directly.

Supervisor Thomas indicated he had no Committee report; however, he noted, he was anticipating the closeout of the books for 2020 shortly which he hoped would result in a better outcome than what was originally projected. He mentioned Kate Fish, *Executive Director, ANCA's (Adirondack North Country Association)*, was retiring after twelve years of service and he would like to recognize her for service.

Continuing to the report by the County Administrator, Mr. Moore recognized the following people for their years of service to the County which he said he was greatly appreciative of

- * Brian Engle for 35 years of service to Sheriff's Department;
- * Wanda Olden for 30 years of service to Countryside Adult Home; and
- * Diane Caldwell for 20 years of service to Public Health.

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Mr. Moore stated the March 19th Board Meeting was the same day that the mass vaccination site opened up, adding the number of vaccinated County residents continued to increase with 29,598 individuals having received at least one dose as of yesterday morning which was 46.1% of the County's population as compared to the Statewide average of 39.6%. He indicated as of yesterday morning there was also 23,209 individual County residents who were fully vaccinated which equated to 36.1% of the County's population as opposed to the Statewide average of 26.4%. He mentioned Warren County was the 11th highest performing County in the State with Nassau and Essex Counties being slightly above Warren County with both their vaccination rates at 46.3%. As previously mentioned by Chairwoman Seeber, Mr. Moore advised the tree dedication ceremony had been held this past Tuesday, April 13th and he thanked James Lieberum, *District Manager, Warren County Soil & Water Conservation District*, Maren Alexander, *Conservation District Technician, Warren County Soil & Water Conservation District*, and their Board of Directors for their donation of the tree and the assistance they provided with planting it, as well as Kevin Hajos, *Superintendent of Public Works*, and Frank Morehouse, *Superintendent of Buildings PT - Temp*, and the DPW staff for their efforts in getting this accomplished in relatively short notice. He remarked it was a wonderful ceremony and he was appreciative of the assistance everyone provided.

In regard to the reopening of the County Buildings to the public this past Monday, Mr. Moore apprised there were some exceptions most notable of which was the Department of Motor Vehicles which was still operating on an appointment only basis as per the Governor's Executive Order. He stated appointments could be made between 8:15 a.m. and 3:30 p.m. with scheduling available online at dmv.setmore.com. He informed the County Clerk's Office was open to the public between 8:00 a.m. until 3:00 p.m., adding not every service they provided requiring an appointment, apprising recordings and filings accepted walk in appointments; passport services were only being offered on Tuesdays and Thursdays from 8:00 a.m. until 11:00 p.m. and he notified the Department of State was still operating with significant delays with routines service taking around ten to twelve weeks with expedited service offered for a \$60 fee which would reduce the timeline to four to six weeks; the Records Room was limited to four individuals at a time as a result of social distancing requirements from 8:00 a.m. until 3:00 p.m. with hourly slots being assigned to prevent individuals from taking up one of four slots for the entire day in order to be fair and rotate individuals in and out of there; and pistol permit applications were available at the counter and any amendments or application submissions could be submitted to the drop box or through the mail. He mentioned appointments could be made for processing of approval letters and were available Monday and Wednesday from 9:00 a.m. until 3:00 p.m. He advised all of this information was posted on the County website and he encouraged anyone with questions to contact the County Clerk's Office.

Mr. Moore informed on April 2nd United States Senate Majority Leader Schumer was present at the Charles R. Wood Theater to discuss his work on the Federal Stimulus Bill, apprising over the past four years the Federal Government had improved their understanding and response to the needs of County Governments for which Senator Schumer had assumed responsibility for since he had taken on the leadership position of the United States Senate. He stated Senator Schumer was well aware of the County's needs and was working hard to ensure the response at the Federal level of government continued which he was appreciative of.

Mr. Moore thanked Chris Rodgers, *former President, NACo*, and Elizabeth Butler, *City Clerk, City of Omaha Nebraska*, for providing their expertise on Robert's Rules of Order at the April 7th Board Workshop meeting which was very informative. He stated on April 8th he had participated in interviews for the Tourism Development & Event Coordinator position, notifying an update would be provided at the April 19th meeting of the Tourism & Occupancy Tax Coordination Committee. He advised he had attended a contract negotiating meeting on Thursday with representatives of the CSEA (*Civil Service Employees Association*), as the contact they had originally agreed to in the beginning of 2020 before the

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pandemic began was voted down by the Union members. He said once the pandemic began the contract negotiations stalled due to the financial uncertainty as a result of the pandemic. He added there had been no contract with the CSEA since the end of 2019. In conclusion Mr. Moore noted this would be the last Board Meeting attended by Mary Elizabeth Kissane, *County Attorney* who had served in the position since May of 2016, but was leaving at the end of the month to take a position elsewhere. He wished Ms. Kissane well and thanked her for her years of service.

Privilege of the floor was extended to Ms. Kissane to provide a report from the County Attorney. Ms. Kissane apprised she had spent the last month attempting to finish up any work that may be outstanding to make the transition easier for her Office. She stated she was working closely with her First and Second Assistant County Attorney's with the hopes that there would be a smooth changeover after she left.

Chairwoman Seeber thanked Ms. Kissane for her efforts, as well as the years of service she had provided to the County.

Chairwoman Seeber advised she had been notified by Mr. Lehman he had received a late public comment regarding the Public Hearing pertaining to the solar farm at the County Airport and if no one objected she would like to request that Mr. Lehman be permitted to read the comment into the record to which no one was opposed.

Mr. Lehman stated an individual identifying themselves as Richard Sanders, MD, had indicated he was a pilot who was supportive of leasing land for solar generation at the Airport; however, he noted, he also recognized some safety issues with the area south of the departure end of Runway 19 was a crucial safety zone and in the event of engine failure on take off only Runway 19 had a safe place to land straight ahead. Mr. Lehman informed Mr. Sanders apprised Runways 1, 12 and 30 all were all obstructed at their departure ends and most engine failures in general aviation occurred on take off so this was not a hypothetical issue. Mr. Lehman advised Mr. Sanders suggested leaving a strip of land open to the top of the hill south of the runway at the greatest distance possible for the purpose of significantly increasing safety for departing, as well as arriving traffic. He stated Mr. Sanders indicated ideally that strip fo land would be 150 feet wide which was the width of the runway. He continued, informing the lighting system *MALS* (*Medium Intensity Approach Lighting System*) for Runway 19 extended 2,000 feet south of the runway and ideally there would be at minimum another 2,000 feet beyond that for emergency use.

Continuing with the Agenda review, Chairwoman Seeber called for a reading of communications, which Mrs. Allen read, as follows:

Reports from:

1. Lake George Park Commission - Regulatory Permit Program 2020 Annual Report.
2. Warren County Clerk - Annual Report for the Warren County Clerk's Office for the year 2020.
3. Warren County Probation Department - Report of Criminal and Family Workloads for the months of January and February, 2021.

Letters/emails from:

1. Southern Adirondack Realtors - Letter requesting a Proclamation declaring April as Fair Housing Month.
2. Mr. Starr Valentino - Email requesting a Proclamation declaring May 16th as "Do Something Good for your Neighbor Day".

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Other:

1. Capital District Regional Off Track Betting Corp. - February 2021 surcharge payment in the amount of \$2,013.
2. Capital District Regional Off Track Betting Corp. - 2020 Regional Benefit Distribution Installments #6 & #7, each in the amount of \$2,408.
3. Fulton County Board of Supervisors - Resolution No. 73 of 2021 entitled "*Resolution Calling Upon NYS Legislators to Curtail Governor Andrew Cuomo's Emergency Powers Authority*".

Proceeding to the reading of resolutions, Mrs. Allen announced proposed Resolution Nos. 112-155 were distributed to the Board and posted to the Warren County website on Friday, April 9th, which met the distribution deadline specified in the Rules of the Board.

Chairwoman Seeber proceeded with the Agenda review, continuing to the discussion and public comment on proposed Resolutions and requests for Roll Call Votes.

In regard to proposed Resolution No. 112, *Making Supplemental Appropriations*, Supervisor Wild requested an explanation regarding the \$10,000 transfer to the Legislative Board and Mrs. Allen responded this pertained to the Board's contribution to the CDPHP Cycle Share Program. She added she did not believe the full amount would be required, but the proposed resolution authorized up to \$10,000. He stated proposed Resolution No. 152, *Authorizing Agreement with Greater Glens Falls Transit and the Allocation of Funds to Expand the CDPHP Cycle Bike Share Program to Warren County as Requested by the Employment & Training Administration*, also pertained to the Bike Share Program which according to the Director of the Employment & Training Administration would be used by CDPHP, who the County was partnering on this program, as a model for the rest of their region. He explained typically this would be funded fully through the local governments, but this particular program was also being funded by the private sector and was obtaining regional recognition. He added currently it appeared as if the County's contribution would be around \$7,000, but he believed this figure would decrease even more.

Supervisor Braymer apprised she was aware a local business had expressed some concerns about them competing with this program; however, she noted, this program was in place to provide transportation for local residents and although some tourists may make use of this for recreational purposes she believed this would be helpful for residents of the City of Glens Falls to travel around the City on a bike. She indicated she was also pleased to learn the cost to the County would be less than \$10,000.

Supervisor Strough advised he believed proposed Resolution No. 114, *Accepting Proposal and Authorizing Land Lease with Nexamp Solar for Floyd Bennett Memorial Airport Solar or Other Approved Use Land Lease (WC 44-20)*, implied the letter of intent was also being approved by this Board going forward because Nexamp did require this letter of intent in order to move forward. He said he did not see the wording included in the proposed Resolution and he wanted to inquire whether his assumption was correct that it was implied. Mr. Hajos responded in order for the County to move forward with Nexamp they would require a letter of intent or something in writing from the County indicating they could move forward with the Interconnection agreement with National Grid or National Grid would not sign off on the project. Mr. Hajos stated he was unsure whether it was necessary to amend the proposed Resolution to indicate same, but he believed a letter of intent would suffice. Supervisor Magowan thanked Supervisor Strough for pointing this out, as he also believed it was implied, but felt the resolution should be amended to indicate same.

Chairwoman Seeber requested that Ms. Kissane opine on this matter. Ms. Kissane apprised as soon as proposed Resolution No. 114, *Accepting Proposal and Authorizing Land Lease with Nexamp Solar for*

Floyd Bennett Memorial Airport Solar or Other Approved Use Land Lease (WC 44-20), was adopted the Purchasing Department would send them a letter accepting their bid which she assumed they could distribute to National Grid. Supervisor Magowan informed he wanted to ensure that this was covered to ensure there were no delays because this was a timely manner. Mr. Hajos read aloud an email he had received from Nexamp which stated they had begun putting together the application for interconnection for National Grid that would need to be submitted as soon as possible and in order to submit the application they required the attached form included in the email to be signed to allow them to submit an application on behalf of the County on the Airport property which they asked him to coordinate. Mr. Hajos advised if it was agreeable the Chairwoman would sign the form. Chairwoman Seeber asked Ms. Kissane if she was comfortable with her signing the form and Ms. Kissane replied the proposed Resolution only authorized Chairwoman Seeber to sign the lease agreement and she suggested they amend the proposed Resolution to also provide Chairwoman Seeber with the authority to sign any other forms that were necessary for the lease agreement. Supervisor Wild indicated that was the point he was going to make.

Motion was made by Supervisor Magowan and seconded by Supervisor Strough to amend proposed Resolution No. 114, *Accepting Proposal and Authorizing Land Lease with Nexamp Solar for Floyd Bennett Memorial Airport Solar or Other Approved Use Land Lease (WC 44-20)*, to include authorizing the Chairwoman of the Board to sign off on any other forms necessary to execute the lease agreement with Nexamp at the County Airport.

Supervisor Shepler informed her remarks did not apply to the proposed amendment to Resolution No. 114, but rather pertained to the concerns Dr. Sanders had mentioned. She questioned whether those concerns had been taken into consideration with regard to the locations of the panels and equipment and if not whether it would be acceptable to take this into consideration at this point to either relocate or push back the location of the solar panels. Chairwoman Seeber responded first they would vote on the proposed amendment before them and then they would discuss Ms. Shepler's concerns.

Chairwoman Seeber called the question and the motion to amend proposed Resolution No. 114, *Accepting Proposal and Authorizing Land Lease with Nexamp Solar for Floyd Bennett Memorial Airport Solar or Other Approved Use Land Lease (WC 44-20)*, as outlined above was carried unanimously.

Chairwoman Seeber requested that Mr. Hajos respond to the concerns expressed by Ms. Shepler. Mr. Hajos advised currently they had only received a proposal from Nexamp on two pieces of property at the Airport and was just a depiction of where the solar fields may be. He stated over the next eighteen months they would be working on design, permitting, etc. and the County could include that as part of their design. Ms. Shepler remarked she believed this was something that was quite crucial and was coming from a pilots point of view which she felt needed to be taken into consideration. Mr. Hajos informed he had a meeting with the Pilot's Association last night that Dr. Sanders had attended during which they expressed regarding it being 2,000 feet from the start of the runway, but this solar field would begin around 3,000 feet from the end of the runway.

Supervisor Beaty apprised he did not believe the FAA (*Federal Aviation Administration*), who consisted of employees who were experienced in this field, would permit solar panels to be located too close to a runway if they felt there were safety issues and Mr. Hajos concurred. Supervisor Leggett added the placement of the solar panels was well above the airfield. Supervisor Braymer advised she concurred with Supervisor Shepler that they should take this into consideration which she believed Mr. Hajos was doing. She mentioned she had inquired about wetlands on the project site which had been a concern with the most recent project there to which Mr. Hajos had indicated that this would also be taken into consideration during the design phase which she wanted to state for the record.

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There being no further Supervisors who wished to speak regarding the proposed Resolutions before them she inquired whether there was anyone present from the public wishing to speak to the resolutions. She stated for the purposes of the public who may be unaware the County was excited to welcome the public safely back to safely attending all of the County's public meetings, as all of the necessary protocols were in place, including keeping the chairs six feet apart, as well as using the Committee Room as an overflow room that had the Youtube live of the meetings broadcasted to that room in the event as individuals attended the meetings. She said the public should feel free to attend the meetings in person knowing that the required social distancing was in place. She stated she would be asking Mr. Lehman if he had received any public comments and allow him to explain the process going forward for public comments, as the County had reopened they were still under the Executive Order from the State which meant the Supervisors could attend the meetings virtually and vote on matters, as well as continue to have other discussions. She advised once that Executive Order was lifted the meetings would still be available to watch on Youtube live; however, she noted, the Board members would have to be present in the Board Room in order to cast their votes and sit in during executive sessions. She encouraged the public to attend the meetings in person, adding questions and/or comments could still be submitted to Mr. Lehman who would forward them on to the appropriate department for a response. She concluded by stating because this was new she wanted to ask Mr. Lehman if any public comments had been received and he replied no public comments had been made on resolutions via Youtube or email at this time. In regard to the public who may be concerned about potentially returning to attending meetings in person there was an overflow room set up in the Committee Room where the live feed can be watched for instances when there was a large crowd in the Board Room for the meetings going forward.

Chairwoman Seeber inquired whether there were any requests for roll call votes, but none were requested.

There being no further discussion, Chairwoman Seeber called for a vote on resolutions, following which Resolution Nos. 112-155 were approved, as presented, with the exception of Resolution No. 114 which was amended from the floor.

Chairwoman Seeber advised Ginelle Jones, *Director, Public Health/Patient Services*, was present at the meeting and without objection would like the opportunity to provide a report to the Board and the County residents regarding the activities of her Department prior to offering privilege of the floor to the Board and the public to comment on any matter. Chairwoman Seeber asked if there were any objections to this update to which no one responded with an objection.

Ms. Jones stated she would like to provide an update regarding the success of the County's vaccination campaign with the goal of vaccinating 100% of the County residents. She mentioned her Department had partnered on this campaign with Glens Falls Hospital, Hudson Headwaters, the pharmacies located in the County, the skilled nursing home facilities located here, Office for the Aging, other providers, local EMS Squads and the Glens Falls Fire Department, as well as the State's Mass vaccination site which she was pleased was located in Warren County. She indicated to date around 70.9% of the County's senior citizens had been vaccinated; however, she noted, it was difficult to calculate this figure because it was unknown how many of the County's seniors were currently residing in the State of Florida. She apprised following her discussion with Deanna Park, *Director, Office for the Aging*, and reviewing her departments wait list she determined they had adequately served that population, but they would continue to seek them out to ensure any senior citizens who wanted to could be vaccinated. She said in addition to that they had vaccinated 295 homebound individuals, offered a clinic at The Open Door Mission facility where they vaccinated 25 individuals, offered vaccinations to the inmates who were housed at the Warren County Jail of which they had 35 thus far and would continue to work The Open

Door Mission and any other populations that would like to work with them to get individuals vaccinated. She stated they were also working closely with NYSOPWDD (*New York State Office for People with Developmental Disabilities*) to vaccinate their residents located within Warren County, as well.

In regard to the status of how many residents had received their first dose of the vaccine, Ms. Jones apprised Mr. Moore did an excellent job reporting daily on the percentage which was currently 46.1% as compared to the Statewide average of 39.6% and 36.1% of the County residents were fully vaccinated whereas the Statewide average was 26.4%. She voiced her pride in those percentages, informing her staff and their community partners, such as Hudson Headwaters Health Network, Glens Falls Hospital and the other providers who were assisting them, had all worked tirelessly to reach these means.

Ms. Jones advised the Public Health Department had held over 70 vaccination clinics, 33 of which were first dose clinics, 33 second dose clinics and 5 clinics with the vaccine that only required one dose. She said this was in addition to the clinics for the homeward bound individuals, The Open Door Mission and the County Jail which were difficult to include in the total number because it was piece mail in how it occurs.

In regard to the pause placed on the Johnson & Johnson's one dose vaccine, Ms. Jones informed she believed this was proof that the system was working. She explained with the vaccine campaign through the CDC (*Center for Disease Control*) program required any who provided vaccinations or was vaccinated to be entered into the VAERS (*Vaccine Adverse Events Reporting System*) and were required to provide documentation regarding how to make those reports should an adverse reaction occur. She mentioned out of the 7 million Johnson & Johnson's vaccinations that had been given to date around 1.4 million were given to women ages 18 to 50 and through the VAERS reporting system it was discovered that 6 incidences occurred which included significant reactions. She indicated the benefit of the VARS system was that it allowed the ACIP (*Advisory Committee on Infection Control Practices*) to step back and investigate and determine an outcome, such as whether changes were required with the recommendations for the vaccine, whether they needed to place a hold on the use of it, if they should stop using it altogether, etc. She advised the reaction that was identified was referred to as CVST (*Cerebral Venous Sinus Thrombosis*) and was the presence of blood clots that were in the dural venous sinuses or the cerebral veins or both. She stated she attended a CDC briefing yesterday that discussed those six cases and provided the following information: CVST was mainly occurring in women; was occurring in individuals whose ages ranged from 18 to 48; and most reactions occurred within 6 to 13 days following their vaccination. She indicated to date 42% of the Johnson & Johnson's doses were administered in that window of the 6 to 13 days which had already passed; however she noted, 58% of the individuals who had received the vaccine were still within the 6 to 13 day window which meant there was still an opportunity for more incidences to occur. She apprised this was why the pause was imperative because it would allow them to monitor for additional symptoms. She encouraged anyone who had received a Johnson & Johnson's vaccine and was experiencing severe headaches, abdominal pain, leg pain or shortness of breath to contact their provider to allow them to monitor or test them to determine if they were having that reaction. She proceeded to provide the following contact information for anyone who was exhibiting symptoms: vaers.hhs.gov or you can call them with questions at 1-800-822-7967 or vaers.org. She stated she was not anticipating seeing anyone with symptoms; however she noted, anyone with them could call. She indicated the pause placed on the vaccine was beneficial for the investigation process and to monitor and survey for further reports with the ACIP planning to meet and make a determination shortly. She encouraged those who had scheduled to be vaccinated with the Johnson & Johnson's vaccine while this pause was in effect to seek out either the Pfizer and Moderna vaccines, as her goal to vaccinate 100% of the County residents was still in place. She mentioned this past Thursday was the first time they had held a clinic where they did not administer their entire supply of the vaccine, which was Moderna in this case, and they ended up with

about fifty doses leftover. She said it was imperative for them to increase awareness regarding their vaccine availability because there were still individuals interested in becoming vaccinated. She indicated this reaction had not occurred with the Moderna and Pfizer vaccines and were still considered safe to be using. She advised she had been notified the State would be averting all of the Johnson & Johnson's clinics to the State clinics and as a result none of the Counties in the State should expect to be provided with doses of the Pfizer vaccine. She apprised she had requested to join a few other Counties this week in a collaborative effort to request Pfizer doses to assist with vaccinating students ages 16-18 who resided in their Counties. She said she had been working closely with the local school districts to carry this out and she should receive a response as to their request by Monday which she was hoping was a success; however, she noted, in case they were unable to obtain doses of the Pfizer vaccine they did have a shipment of the Moderna vaccine coming in place of the Johnson & Johnson's vaccine that they had ordered although it could only be used for those 18 and older. She advised they had distributed links to the local school districts with the hopes that some students would be able to obtain the Pfizer vaccine that was available at vaccination sites in the Cities of Albany and Schenectady. She informed her focus was currently on attempting to get the students residing in the County vaccinated because they were the ones who were going to school and active in sports.

Ms. Jones noted they had observed an increase in the number of individuals testing positive for the Coronavirus again which she equated to activities that were done during the local school districts spring break and families who traveled causing it to infect multiple family members. She encouraged everyone to remain vigilant about wearing face masks and practicing social distance regardless of whether they were vaccinated. She advised she had received two reports today of cases where the individuals were fully vaccinated, but had been diagnosed with COVID. She stated this brought the total of County residents who had been fully vaccinated and were diagnosed with COVID to 8, apprising all of whom were mildly ill and did not require hospitalization. She emphasized individuals needed to be aware that just because they were vaccinated did not mean they could not get COVID or spread it to others which was why it was still important to take all of the necessary precautions.

Ms. Jones thanked the Board members for providing her with the opportunity to give an update, adding she was grateful for all of the support she received from them. She voiced her appreciation for the Memorial Dedication of the tree to the Warren County residents who had passed away as a result of COVID.

Chairwoman Seeber thanked Ms. Jones for all of her hard work.

Chairwoman Seeber offered privilege of the floor to anyone who would like to comment on any matter.

Supervisor McDevitt stated many publications throughout the Country including *The New York Times* and *The Washington Post* had printed an advertisement entitled "*We Stand for Democracy*" which he believed these publications and major employers across the Country were using as an avenue to get their point across that voting could not be made political. He paraphrased what *The New York Times* had indicated in their advertisement as follows: "A beautiful American ideal, but a reality denied to many for much of this nation's history. As Americans we know that in our democracy we should not expect to agree on everything; however, regardless of our political affiliations we believe the very foundation of our electoral process rested upon the ability of each of us to cast our ballots for the candidates of our choice. For American democracy to work for any of us we must ensure the right to vote for all of us. We should feel a responsibility to defend the right to vote and to oppose any discriminatory legislation or measures that restrict or prevent any eligible voter from having an equal and fair opportunity to cast a ballot. Voting in the life flow of our democracy and we should call upon all Americans to join us in taking a non-partisan stand for this, the most basic and fundamental right

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of all Americans”. Supervisor McDevitt mentioned there was a Proclamation before them today pertaining to National Law Day for which the language supported what major employers and decision makers were standing for, as it was necessary not to politicize the election process. He added he believed their point was that this Country did indeed stand for democracy and the rules of law.

Supervisor Hogan entered the meeting virtually at 11:50 a.m.

Chairwoman Seeber advised she would like the record to reflect that Supervisor Hogan had joined the meeting virtually and provide her with the opportunity to speak regarding any matters. Supervisor Hogan apologized for being late to the meeting, but she had another commitment. She thanked Supervisor Frasier for reporting on the Economic Growth & Development Committee meeting on her behalf, adding she was sorry to have missed the presentations at the meeting this morning which were important.

Supervisor Driscoll indicated upon the request of Chairwoman Seeber he had contacted Kim Cook, *Executive Director, The Open Door Mission*, regarding the possibility of offering a tour of their new facility in the City of Glens Falls to County Supervisors and officials. He apprised Supervisor Wild had stated at one of the recent meetings of the Economic Growth & Development Committee that not-for-profits played significant rolls in the quality of life in the County, as well as the economic value that they brought with two of the largest employers in the County being not-for-profits. He stated he would be working with Chairwoman Seeber and Mrs. Allen in an attempt to set up a series of tours of their facility in the next few weeks

Chairwoman Seeber thanked Supervisor Driscoll for going above and beyond to ensure the County recognized those different individuals and entities, as well as providing the opportunity for tours to the full Board.

Supervisor Conover stated on April 24th the County would be conducting a Household Hazardous Waste disposal event which did not get a lot of fanfare, but was critical to ensure waste was properly disposed of and did not end up in the County environment and waterways. He offered privilege of the floor to Mr. Hajos to provide additional information regarding this event.

Mr. Hajos apprised there were two dates scheduled for their Household Hazardous Waste Collection days scheduled, the first of which was next Saturday, April 24th at the Town of Queensbury Highway Garage from 9:00 a.m. until 2:00 p.m. and the following one was scheduled for Saturday, July 24th from 9:00 a.m. until 2:00 p.m. at the Warren County Department of Public Works office in the Town of Warrensburg. He stated registration forms were available on the County website which listed all of the items that could be disposed of at these events, adding any type of explosive waste or munitions, anything related to asbestos, latex paint, automotive batteries, electronics, infections waste and radioactive material would not be accepted. He noted anyone interested in disposing of their household hazardous waste items should visit the County website to sign up to participate, as there was a limited number of registration available.

Chairwoman Seeber called for announcements.

Supervisor Strough indicated he had two suggestions for the Board’s consideration in regards to addressing and moving the current Article 78 Proceeding that claimed that certain positions in the office should be vacated due to the lack of legally required filings. He said one way to handle this was to declare these positions vacant and hold a renomination and vote again, as this would render the Article 78 action moot; adding he would be supportive of this action. Next, Supervisor Strough informed

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there appeared to be several issues before the Board that had been discussed at length which he believed needed to be addressed. He apprised his thought on how to address these was reactivating the Legislative & Rules Committee by having the Board create and adopt it without the politicalization that they had seen. He apprised this Committee could assist with addressing the following issues: the formation of future Committees for the Board of Supervisors being developed with the advice and consent of the Board; assigning Chairs to Committees in a fair manner with no Supervisors being appointed to Chair multiple Committees, while others were appointed to Chair none, as this would eliminate the politicalization of these Committees; with the advice and consent of the Board of Supervisors they could develop and negotiate the Rules of the Board they felt were fair for everyone moving forward to present to the Board for approval; determine what the County could do to become more open and transparent and more specifically with FOIL (*Freedom of Information Law*) requests; take an independent and objective assessment of the need for the positions of Majority and Minority Leader; review whether all emails from the County Attorney's Department which included those sharing legal opinions regarding the activities of the Board were being shared with the full Board; and to consider making the Legislative & Rules Committee a permanent Standing Committee. He remarked he felt there was a demonstrated need for a new agenda line item as opposed to the privilege it currently was. Lastly, he advised he would like clarification regarding the rules and duties of the Chair of the Board of Supervisors. He said the aforementioned items were his suggestions for consideration by the Board.

Chairwoman Seeber noted that Supervisor Strough had brought forward a number of items to talk about all at once under announcements; however, she noted, she welcomed that opportunity. She said prior to allowing the Supervisors to ask questions regarding those comments she would like to break them up in order to address them appropriately. She apprised she believed it was ironic that she was on the same page with him regarding the common theme that most of his suggestion had, one of which was the Governmental Operations & Advocacy Committee. She indicated the Legislative & Rules Committee had only met twice last year and once the prior year. She said one of the suggestions she received when she called and emailed every Supervisor after her appointment as Chair was to decrease the number of Supervisors on their Committees for more efficiency, as well as to decrease the number of Committees which she felt there were many valid points to. She advised she had reviewed Committees that historically had not met, which was Shared Service and was formed to address mandated issues, and was merged, as well as others. She informed more specifically to his point regarding the Legislative & Rules Committee, she had merged this with the advocacy piece under Governmental Advocacy & Operations and in the coming weeks they had multiple advocacy efforts, including the broadband resolutions and others that were important for advocacy purposes to the State, Local and Federal Government partners. She added she was appreciative of having an active Committee guided by the leadership of Supervisor Beaty. In regard to Supervisor Strough's suggestions as they related to the Majority and Minority Leader positions, the questions involving the development of the Rules of the Board and to offer alternatives was one that was clearly stated on January 8th and January 15th when she requested that the Board give these changes to the Committees a minimum of 90 days before they revisited the discussion as to whether additional changes were required at the Governmental Operations & Advocacy Committee meeting which Supervisor Beaty had as a priority following their trainings on the Rules of the Board, Robert's Rules of Order and the Parliamentary process. She said she hoped Supervisor Strough would bring many suggestions to the future Committee meeting where this would be discussed with the hopes of adopting a well thought out Rules of the Board for next year. She informed this addressed those questions from her perspective; however, she noted, she was aware there were additional questions. She added in addition to that she wanted to note when they discussed the responsibilities of the Chair of the Board they should refer to Local Law No. Of 1968 which established the authority of the Chair of the Board at that time that included several authorizations that fell on the Chair of the Board. She added they also needed to take into consideration the County and State Law when they were considering the responsibilities of the Chair

of the Board which called for specific duties. She mentioned Supervisor Strough could advocate for changes to the State Law pertaining to the responsibilities of the Chair of the Board, but in this case involving the Warren County Board of Supervisors she thought they should all be invested in advocating for changes to the Rules of the Board and could certainly review discussions to modify the Local Law that was still in place and was very detailed regarding the specific duties of the Chair of the Board. She continued, informing Supervisor Braymer, who was the Minority Leader and Chair of the Personnel, Administration & Higher Education Committee discussed pending lawsuits at the Personnel, Administration & Higher Education Committee meetings every month unless it was something that would have a significant impact to the County, such as a recent lawsuit, that had required special meetings and a Special Board Meeting. She voiced her appreciation of Ms. Kissane for providing updates on any pending litigation in executive session at these Committee meetings, adding Ms. Kissane also emailed a listing of these lawsuits to the Committee members, as well. Chairwoman Seeber asked Mr. Moore if he would like the opportunity to address the concerns expressed by Supervisor Strough prior to her allowing Supervisor Braymer to ask her question and so on to allow any Board member who may have any questions or concerns to voice them.

Supervisor Strough Expressed his desire to have an independent review of the concerns he expressed which he would be distributing to the full Board for review.

Chairwoman Seeber interjected, notifying Supervisor Strough he was out of order. Supervisor Wild repeatedly called for point of order, apprising this meant an item needed to be addressed immediately as per Robert's Rules of Order. Chairwoman Seeber responded according to the Rules of the Board which were adopted at the January 15, 2021 Board Meeting involving during Board Meetings every member had one opportunity to speak, adding these were more restrictive than Robert's Rules of Order. Supervisor Wild indicated he thought the purpose of point of order was to question a decision made by the Chair of the Board. Chairwoman Seeber advised the purpose was not to automatically interrupt the Chair while they were speaking and she asked Mr. Moore to respond to Supervisor Strough's comments. Supervisor Wild questioned whether this was listed in Robert's Rules of Order and Chairwoman Seeber replied Supervisor Wild was welcome to comment following Supervisors Braymer and Hogan; however, she noted Mr. Moore was asked to weigh in on this matter.

Mr. Moore provided an update on the Article 78 proceedings that Supervisor Strough had mentioned, informing the County's outside counsel on the matter had filed and served a motion to dismiss the petition on Monday, April 12th for lack of standing, as well as a failure to state the claim for Mandamus and the return date for the proceeding and the return date for that proceeding was scheduled for April 19th for which the court had indicated it would be on submission. He indicated the County's outside legal counsel would advise of any opposition papers from the individual who brought forward the Article 78. He said in the meantime he felt there was a solid strategy in place and they should await the outcome of the case in court.

Supervisor Dickinson exited the meeting at 12:08 p.m.

Supervisor Braymer thanked Chairwoman Seeber for addressing the changes that were made to past protocol and ideas going forward, as well as improvements that were made to the County Board of Supervisors processes in the future, as she was well aware this had been something that was important to Chairwoman Seeber for some time now and other changes would be forthcoming, such as updates to the Ethics Policy that would be reviewed by the Personnel, Administration & Higher Education Committee. In response to some of the earlier comments made she addressed Supervisors Strough and McDevitt directly, advising their attacks on the Chairwoman and herself as Minority Leader were antiquated. She stated they had a choice whom they voted for, neither of them had attended the

Democratic caucus nor had they contacted her in the last three months. She informed they were making democrats look bad with their “sour grapes attitude” and attacked fellow democrats. She mentioned the Democratic party had failed at previous attempts to appoint someone from their party to the Chair of the Board position, including herself and Supervisor McDevitt; however, she noted, following their defeat they did not continue to complain and attack the individual who was appointed to the Chair position and instead carried out their responsibility of serving their constituents and carrying out County business and she would ask that they both do that at this point. She addressed Supervisor Strough, indicating that he was having his wife FOIL (*Freedom of Information Law*) request she and Supervisor Hogan’s financial disclosures was absurd, adding she felt it was an inappropriate use of FOIL to attack fellow Supervisors. She apprised she had not nor would she seek Supervisor Strough’s financial disclosure, informing she had not done anything to provoke him or his wife and she believed his behavior was misogynist, as he was attacking Chairwoman Seeber, herself and Supervisor Hogan similar to how he had been unsupportive of Catherine Atherden, Jennifer Switzer and Amanda McGee when they were members of the Queensbury Town Board. She indicated this discussion was not benefitting the County residents and it needed to stop. She said if he had tangible ideas they should be brought before the Committee, similar to what the remaining Board members did, and get to work.

Supervisor Hogan stated she would like to echo Supervisor Braymer’s frustration with the wasted energy that was occurring here with these repeated attacks not only on the Chairwoman, but on the women who were members of the Board of Supervisor which as Supervisor Braymer had previously indicated was misogyny. She asked where the Chair of the Legislative & Rules Committee was in 2019 when the initial proposal for Committee Chairs left three of the four women in the Board without appointments as Chairs to Committees; she added she was appreciative of Supervisor Conover, who was the Chair of the Board at that time, for rectifying this. She continued, apprising she would also like to know where the Chair of Legislative & Rules was in 2020 when again two of the five women who were members of the Board at that time were not appointed as Chairs of Committees. She remarked this needed to end and they needed to move forward to focus on what was productive and move forward with completing the work of the day. She concluded by pleading that they end their repeated attacks.

Supervisor Wild advised in regard to the point of order he would research further whether calling for point of order ended a discussion. He voiced his concern with the current tone of the discussion and the fact that it was being implied the attacks were against women. He informed he did not believe that was the case, as he had never observed such behaviors with this Board and it was easy to say, but difficult to prove. He stated this all related to impressions and when a statement like that was made it was a strong one. He indicated although this was a strong statement he believed it was a weak one because they could not respond to the issues, as the topic would be changed. He mentioned in his career he like many others had to work with women, adding if an individual was unable to work with woman it was likely they would lose their job. He suggested they move on from this and treat one another as individuals, adding he could care less about what party anyone was associated with or their gender, but rather the value the Board of Supervisors added as a group and individually to the County. He apprised it was not that they represented their gender, the party they were affiliated with or their individual towns, as they were present to handle the County’s business and each of them should have the opportunity to opine on what they felt the Board should do to make the County as strong as they could. He stated they had done some incredible things; however, he noted, they were currently dealing with issues that should be resolved with open discussion.

In response to Supervisor Wild’s comments, Chairwoman Seeber informed he was correct to state that they should be afforded every opportunity to speak to one another respectfully, value their differences and play on each others strengths and weaknesses. She remarked this should be a united Board. She

stated since they were a Board with Committees she would be appreciative of the Supervisors bringing their suggestions to Committee. She advised all of the previous Chairs of the Board had been provided with the opportunity to put together a team. As it related to calling a point of order, Chairwoman Seeber apprised when a member had been assigned the floor and began speaking unless he or she began to discuss a subject when no motion was pending or speaks longer in debate than the Rules of the assembly allows, he or she could not be interrupted by another member or by the Chair except for the following purposes and only when the urgency of this situation justifies it. She informed if they reviewed Section C of 42-18 of Robert's Rules of Order they would also know that it was noted the Chair of the Board at this point in time based on the training that they had been provided by the County Attorney and until such time that the experts attended the Board Workshop meeting to speak to them the Chair of the Board was the Parliamentarian. She stated at the training they were notified by the experts this was in fact not the best course of action and a resolution had been prepared in advocacy and efforts to go before the Governmental Operations & Advocacy Committee in the upcoming Committee cycle to request designating the Clerk of the Board as per the experts suggestion. She indicated if the resolution was approved the Clerk of the Board could be asked to make a ruling and advise the Chair of the Board in making the official enforcement of that request. She said this was how the Parliamentarian should function, adding she was looking forward to that discussion when it went before the Governmental Operation & Advocacy Committee which she hoped Supervisor Wild would take the opportunity to attend. She concluded by indicating she was appreciative of his comments.

Supervisor Wild asked if he could respond to those comments and Chairwoman Seeber replied he would be provided with the opportunity to respond when anyone else who had not spoken, but would like to had the chance to do so. She stated the Rules of the Board provided Supervisors with one opportunity to speak; however, she noted, she was more than willing to provide an additional opportunity at the time everyone else was done speaking. She asked if anyone else would like to make a comment.

In response to the comments made by Supervisor Braymer, Supervisor McDevitt advised he was unsure where the suggestion that he personally attacked anyone was coming from, adding he was flabbergasted by that observation. He indicated his issue was he objected to the Minority and Majority Leader positions with one being a Democrat and the other being a Republican because they were paying two Supervisors an additional stipend of \$6,000 each which was hard earned taxpayers money during a pandemic and individuals could not even afford food. He apprised there was something fundamentally wrong with these positions obtaining that stipend, adding this would continue to rattle this Board until the Board had the opportunity to vote on these positions. He asked whether they would be voting on this form of government which he believed should take place at their next Board Meeting as to whether they would accept these two positions within the structure of the Board. He voiced his objection to the Minority and Majority Leader positions, as well as to Supervisor Braymer's characterization of a personal attack.

Chairwoman Seeber stated Supervisor McDevitt's objections had been noted, adding they had voted on the Majority and Minority Leader positions on two occasions at the January 15th Board Meeting. She suggested that he bring his concerns before the appropriate Committee if it was his desire to continue to discuss a topic that had been repeatedly discussed at Committee meetings and now 95 days since she had been appointed as the Chair of the Board. She advised to be clear the Board was no longer going to continue to violate the law by paying the Chair of the Finance Committee, who also served as the Vice-Chair of the Board. She indicated they were following County Law which permitted them to have a Majority and Minority Leader, Chair of the Board and Budget Officer. She noted in addition to that they had also reduced the overall compensation salary. She thanked Supervisor McDevitt for his remarks and asked whether anyone who had not yet spoken would like to do so.

Supervisor Magowan apprised he fully concurred with the comments made by Supervisors Braymer and Hogan, adding maybe the implication had not been spoken, but he wanted everyone to know there were a few on this Board that have felt this. He stated he may have used the wrong word when he said it was becoming annoying to have this issues repeatedly come up; however, he noted, he was attempting to not isolate and point the finger at anyone. He apprised he believed they had a noble Board and he enjoyed working with all of his colleagues on the Board, but he believed the decisiveness had separated some of them resulting in the trust being lost which was what he found to be the most troubling. He remarked he believed Chairwoman Seeber was doing a phenomenal job and he had followed her, stood next to her, campaigned with her and he had faith in her. He stated he had been proud to stand behind Chairwoman Seeber at the Tree Dedication Ceremony and listen to what she was stating because she involved everyone with the main point aside from remembering those lost to COVID was the unity it was going to bring. In regard to the argument that the \$6,000 stipends being paid to the Minority and Majority Leaders could be used to feed the hungry, Supervisor Magowan pointed out those funds were previously being expended and in act the changes made by the Chairwoman actually resulted in a savings of \$3,000 for the County. He apprised while some may disagree with the positions he felt it was working well, as he had been working closely with the Minority Leader, adding he enjoyed the openness and discussions they had. He concluded by indicating he concurred that it was time to move past this, unite and act like mature adults who carried out the work they were elected to do.

Supervisor Strough indicated he would like to comment. Chairwoman Seeber restated she would like to provide the opportunity to those who had not yet spoken and adhere to the Rules of the Board.

Supervisor Beaty apprised he believed the comments made by Supervisors Braymer and Hogan were accurate, as he had never observed attacks like this on females before which he was disgusted by and felt it should be below those who were doing it, but it did not appear to be. He stated he was fully supportive of Supervisors Braymer and Hogan and could understand their point of view which had been well spoken and accurate. Supervisor Beaty informed Supervisor McDevitt failed to mention in his remarks that there had been a 9% reduction in the amount of compensation which was significant, adding a savings had never been achieved under compensation in the departmental budget. He cautioned Supervisor McDevitt about providing misinformation, as this would come back to haunt him and he asked going forward that he provide the entire story and not just a small portion of it. In conclusion, he stated the fact that this Board was attempting to do the best it could and yet there were Supervisors who continually attempted to waste the County's time, resources and energy on juvenile issues was beyond what he could comprehend. He remarked it was time they grew up, lead by example and take part in a great County that was continuing to grow instead of attempting to tear down individuals and Committees.

Supervisor Leggett informed Chairwoman Seeber had a big heart and had always stood for transparency and open dialogue and as they approached the privilege of the floor at the end of the Board Meeting it may be more suitable forum to allow Supervisors to make statements, not respond to them, as there could be another area where a response could be more effective. He concluded by indicating this was just a recommendation.

Chairwoman Seeber apprised she was appreciative of Supervisor Leggett's recommendation; however, she noted, she had a personal Commitment to answer questions from the public and during privilege of the floor. She added she would do her best to answer any questions that were directed at her and as Chair of the Board she still had that opportunity and right to not only represent the Warren County Board of Supervisors, but also the constituents that had elected her. She stated she did concur and felt Supervisor Leggett had made an excellent suggestion, as there could be a better forum for Supervisors to make statements then during privilege of the floor and she was hopeful a number of the questions

and/or concern being expressed by Board members could be funneled through the appropriate Committees in order to continue to have that positive dialogue.

Supervisor Frasier exited the meeting at 12:22 p.m.

Chairwoman Seeber inquired whether there were any other Supervisors who had not yet spoken who would like to do so to which she received no response. She stated at this point in time the Rules of the Board only permitted one opportunity for individuals to be heard, adding they did not have an automatic right to make a second comment. She said in light of the comments that Supervisor Leggett had made she would like to call for a roll call vote to determine whether they would like to continue to discuss items that had been discussed already since it did not adhere to the Rules of the Board. She asked Mrs. Allen to prepare a roll call vote, informing those who wished to continue the discussion under privilege of the floor to allow individuals who had already commented to do so again to vote should vote in the affirmative.

Following the roll call vote it was determined the discussion regarding the Minority and Majority Leader positions would end, with a vote of 165 in favor (*Supervisors Leggett, McDevitt and Braymer*), and 676 opposed (*Supervisors Hogan, Merlino, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty, Conover, Diamond, Bruno, Driscoll, Frasier and Seeber*), 53 Absent (*Supervisor Dickinson*) and 106 not voting (*Supervisors Smith and Strough*).

During the roll call vote, Supervisor Smith expressed that she did not wish to cast a vote on whether to continue the discussion, advising during her experience working for a major corporation she had never observed the lack of professionalism that was occurring with this Board. She indicated each and everyone of them had skills and talents and it was necessary for them to recognize that each of them were different and each of them had those talents. She stated she concurred with Supervisor Leggett that upon occasion Chairwoman Seeber liked to speak and not allow others to comment; however, she said, her suggestion would be to allow them to make their comment and then sit and digest what had been stated before rushing to respond. She indicated while she herself could empathize with Chairwoman Seeber's frustration she believed it would be more appropriate for her to hold off on responding to the comments and consider how professional the Board could be. She remarked she did not feel the majority of the members of the Board were professional, adding she had been disappointed prior to her assuming her seat on the Board because of some of the phone calls she had received that prodded her regarding what was occurring on the Board. She suggested they begin to work as a team, grow up and respect each others skills and talents.

Supervisor Merlino apprised he would be voting in opposition; he added he would like to note for the record that he would like to meet with Chairwoman Seeber.

Supervisor Strough remarked he was unaware that making some suggestions that would be considered independently and objectively be a sovereign and impartial group would lead to a discussion such as this. He indicated he concurred with Supervisor Leggett that the suggestions he had made should be impartially and unbiasedly reviewed, as he was well aware of what it was like not to be a member of the "Good Old Persons Club". In regard to the comments made regarding the FOIL request his wife submitted, Supervisor Strough apprised this was the first time he was made aware of it today, as he did not dictate the actions of his wife. He said all he had done was make some suggestions and it was disingenuous to imply her was a misogynist or that if had anything to do with males or females nor was it of his character. He advised this solely related to some of the issues he mentioned that he felt merited review, adding he never mentioned anyone by name.

Supervisor Wild apprised it appeared as if they were bending the Rules of the Board and allowing everyone to comment. Chairwoman Seeber interjected that she had not called a point of order; she added in light of Supervisor Smith's comments and suggestions she would like to remind the Board Members this was a roll call vote. She informed she was listening closely to the concerns expressed outside of the parameters of the Rules of the Board and Robert's Rules of Order as a matter of courtesy. Supervisor Wild stated he was unsure what Chairwoman Seeber meant by that and she responded it meant Supervisor Wild was permitted to comment if he chose to do so. Supervisor Wild thanked Supervisor Leggett for noting there were issues that needed to be discussed, but in a different forum. He said it was imperative for the Board not to limit debate, as there was an appropriate time and place to discuss all of the issues in order to resolve them. He stated he would be voting in opposition and suggested that it was forwarded on to the appropriate Committee to work in resolving these issues.

Supervisor Frasier re-entered the meeting at 12:33 p.m.

Supervisor Geraghty remarked he believed in adhering to the Rules of the Board and therefore would not be making any comments.

Supervisor McDevitt voted in favor of continuing the discussion, informing legislative bodies could not limit debate.

Supervisor Braymer indicated she concurred with Supervisor McDevitt that debate should not be limited and she casted a vote in favor of continuing the discussion.

Supervisor Frasier voiced her disappointment in the current direction the Board of Supervisors was headed in and she believed they needed to take a hard look at themselves and determine if they wanted to continue down their current path or work to get back on track.

Supervisor Driscoll apprised he believed the most paramount issue taxing this Board and local governments nationwide was whether they had made a positive impact with regard to sharing information pertaining to COVID. He stated both Mr. Moore and Ms. Jones had shared useful information regarding the pandemic to them. He said just because someone was vaccinated did not mean they did not have responsibilities as community leaders to set a good example by continuing to wear face masks, practice social distancing, avoid large gatherings whenever possible and pass along that there was still a lot to be done. He indicated he did not want to lose sight of that fact while they deliberated on this issue that they should be concentrating daily on COVID because it impacted multiple areas of the County's economy and the quality of life here.

Chairwoman Seeber informed she had been notified by Thom Randall, *The Adirondack Journal*, that this had been one of the best County meetings he had watched with regard to the sound quality. She said he expressed her appreciation to hear all of the dialogue which was a result of all of the upgrades that were done to improve their ability to communicate remotely. She recognized the Information Technology Department, Mrs. Allen and Tammie Delorenzo, *Assistant to the County Administrator*, for working hard to ensure everything ran smoothly. Chairwoman Seeber apprised she too was also disappointed, as the privilege of the floor should never be used as an attack. She indicated they should be professional and work together to represent the community.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Thomas and seconded by Supervisor Braymer, Chairwoman Seeber adjourned the Board Meeting at 12:36 p.m.

Warren County Board of Supervisors

Proclamation

WHEREAS, emergencies occur at any time that require police, fire or emergency medical services, and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property, and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Warren County Communications Center, and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services, and

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety, and

WHEREAS, Public Safety Telecommunicators of the Warren County Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients, and

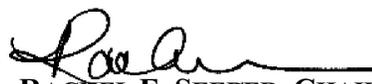
WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year, now, therefore, be it

RESOLVED, that Warren County does hereby proclaim the week of April 11-17, 2021, as

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

in Warren County, in honor of the men and women whose diligence and professionalism keep our County and citizens safe.

DATED: APRIL 16, 2021



**RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS**

Warren County Board of Supervisors

Proclamation

WHEREAS, being a victim of crime and navigating the criminal justice system can be a frightening and confusing experience, and

WHEREAS, progress in improving the treatment of crime victims has been made through the efforts of thousands of victims and survivors who have turned their own experiences into a force for positive change, ensuring that others can receive justice, meaningful assistance, and compassionate treatment before the law, and

WHEREAS, since the passage of the Victims of Crime Act of 1984, and through the dedicated work of advocates, lawmakers, and victim service providers, there is a growing array of services and resources available to victims and their loved ones, and

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

WHEREAS, individuals' trust in the compassion, understanding, and support of their communities is achieved through sustained, deep-rooted, and coordinated outreach, and

WHEREAS, identifying, reaching, and serving all victims of crime - especially those from groups that often have less access to healing services and avenues to justice - is essential, and

WHEREAS, our community's continued engagement with the challenges faced by victims of crime will ensure that the progress made to date is not lost, and that new ground is broken to gain greater justice and healing for all victims, and

WHEREAS, National Crime Victims' Rights Week provides an opportunity to recommit to ensuring that accessible, appropriate, and trauma-informed services are offered to all victims of crime, and

WHEREAS, Warren County is hereby dedicated to supporting victims and survivors in the aftermath of crime, building trust among our clients, collaborating with other service providers, and engaging our community in response efforts, now, therefore, be it

RESOLVED, that Warren County does hereby proclaim the week of April 18-24, 2021, as

CRIME VICTIMS' RIGHTS WEEK

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

DATED: APRIL 16, 2021



RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS

Warren County Board of Supervisors

Proclamation

WHEREAS, the Fair Housing Act, enacting on April 11, 1958, enshrined into Federal Law the goal of eliminating racial segregation and ending housing discrimination in the United States, and

WHEREAS, the Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of Federal funding to affirmatively further fair housing in their communities, and

WHEREAS, Warren County is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and

WHEREAS, our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities, and

WHEREAS, more than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated, and

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors does hereby proclaim the month of April 2021 to be

“FAIR HOUSING MONTH”

in Warren County as an inclusive community committed to fair housing and to prompting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents, and prospective residents, of Warren County.

DATED: APRIL 16, 2021



**RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS**

Warren County Board of Supervisors

Proclamation

WHEREAS, mental health is essential to everyone's overall health and well-being, and

WHEREAS, all Americans face challenges in life that can impact their mental health, especially during a pandemic, and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions, and

WHEREAS, there are practical tools that all people can use to improve their mental health and increase resiliency, and

WHEREAS, mental health conditions are real and prevalent in our Nation, and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives, and

WHEREAS, each business, school, government agency, health care provider, organization and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention and treatment efforts, now, therefore, be it

RESOLVED that the Warren County Board of Supervisors does hereby proclaim the month of May 2021 as

"MENTAL HEALTH AWARENESS MONTH"

in Warren County and calls upon all Warren County citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

DATED: APRIL 16, 2021



RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS

Warren County Board of Supervisors

Proclamation

WHEREAS, Warren County includes a growing number of older Americans who have built resilience and strength over their lives through successes and difficulties, and

WHEREAS, Warren County benefits when people of all ages, abilities, and backgrounds are included and encouraged to share their successes and stories of resilience, and

WHEREAS, Warren County recognizes our need to nurture ourselves, reinforce our strength , and continue to thrive in times of both joy and difficulty, and

WHEREAS, Warren County can foster communities of strength by: creating opportunities to share stories and learn from eachother; engaging older adults through education, recreation and service; and encouraging people of all ages to celebrate connections and resilience, now, therefore be it

RESOLVED, that the Warren County Board of Supervisors does hereby proclaim the month of May 2021 to be

“OLDER AMERICANS MONTH”

and urges every resident to recognize older adults and the people who support them as essential contributors to the strength of our community.

DATED: APRIL 16, 2021


RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS

Warren County Board of Supervisors

Proclamation

WHEREAS, the Rule of Law is a fundamental concept undergirding justice, freedom, and representative government, and

WHEREAS, the Rule has been a guiding ideal of constitutional government that can be traced through history from various systems of law, through the Magna Carta and the United States Constitution, and

WHEREAS, the United States was founded on the principle that voluntary adherence to the Rule of Law expands, rather than limits, the opportunities for freedom, and

WHEREAS, the Rule of Law rests upon the idea that no person is so important as to be above the law and conversely no person is so insignificant to be beneath the law, and

WHEREAS, the principle that no person is above the law means that there must be limits on government and that government officials must be held accountable for their actions, and

WHEREAS, the separation of powers among branches of the government are essential to preserving the Rule of Law, and

WHEREAS, an independent judiciary is essential to a free society and administration of laws, and

WHEREAS, a viable democracy requires understanding of the nature and basis of our freedoms and recognition of the individual responsibilities which those freedoms impose, and

WHEREAS, the Rule of Law requires and educated citizenry that understands law and demonstrates engaged citizenship, and

WHEREAS, the theme for Law Day 2021 is “Advancing the Rule of Law”, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors, does hereby proclaim May 1, 2021 as

“LAW DAY IN WARREN COUNTY”

and urges everyone to observe this day by deepening their understanding of the Rule of Law and dedicating themselves to Advancing the Rule of Law to strengthen our democracy, defend liberty, and pursue justice.

DATED: APRIL 16, 2021



**RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS**

Warren County Board of Supervisors

Proclamation

WHEREAS, Starr Valentino founded “National Do Something Good for Your Neighbor Day” in 2009 and Mr. Valentino has worked tirelessly since that time accumulating more than 500 different proclamations from villages, towns and cities across the United States and Canada proclaiming this occasion, and

WHEREAS, May 16th marks the annual observance of National Do Something Good for Your Neighbor Day, and

WHEREAS, currently, our great Nation faces extremely difficult times and daunting challenges created by the Coronavirus pandemic, as well as social unrest related to racism and moral confusion, and

WHEREAS, this is the perfect time for “National Do Something Good for Your Neighbor Day” to bring us closer together even while social distancing, and

WHEREAS, the one thing your neighbor may need is as simple as a call, email or note to brighten their day or see if they are in need, and

WHEREAS, it is a blessing to have a good neighbor, but it is even greater to be a good neighbor, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors does hereby proclaim Sunday, May 16, 2021, to be

“DO SOMETHING GOOD FOR YOUR NEIGHBOR DAY”

in Warren County, and does encourage residents of all ages, cultures, religions and economic backgrounds to perform random acts of kindness and love throughout our community.

DATED: APRIL 16, 2021



**RACHEL E. SEEBER, CHAIRWOMAN
WARREN COUNTY BOARD OF SUPERVISORS**

Warren County Board of Supervisors

RESOLUTION NO. 112 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

MAKING SUPPLEMENTAL APPROPRIATIONS

WHEREAS, the Executive Committee has recommended amending the Warren County Budget for 2021 as set forth herein, now, therefore, be it

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

FROM CODE		TO CODE		AMOUNT
DEPARTMENT: PUBLIC HEALTH				
A.4054 860	Ed./Physically Hand. Children, Hospitalization	A.4018.0020 860	Preventive Program, Family Health, Hospitalization	\$5,000.00
A.4054 865	Dental Insurance	A.4018.0020 865	Dental Insurance	120.00
SPECIAL ITEMS:				
A.1990 469	Contingent Account, Other Payments/ Contributions	A.1010 470	Legislative Board, Contract	10,000.00

Warren County Board of Supervisors

RESOLUTION NO. 113 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

AMENDING WARREN COUNTY BUDGET FOR 2021 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2021 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>
DEPARTMENT OF PUBLIC HEALTH		
<u>ESTIMATED REVENUE</u>		
A.4054.0060 4451	Ed/Physically Hand. Children, Ed. Phys, Hndcppd/Early Intervnt, Early Intervention	\$6,047.00
<u>APPROPRIATIONS</u>		
A.4054.0060 220	Ed/Physically Hand. Children, Ed. Phys, Hndcppd/Early Intervnt, Office Equipment	1,500.00
A.4054.0060 410	Supplies	3,000.00
A.4054.0060 424	Postage	547.00
A.4054.0060 435	Medical Fees	1,000.00
SHERIFF		
<u>ESTIMATED REVENUE</u>		
A.3315 3615	STOP DWI Program, STOP DWI Grant	4,000.00
A.3120.1001 2260	School Resource Officers, Hadley-Luzerne School District, Public Safety-Other Govt	43,500.00
A.3120.1002 2260	Queensbury School District, Public Safety-Other Govt	43,500.00
A.3120.1003 2260	North Warren School District, Public Safety-Other Govt	15,000.00
A.3120.1004 2260	Lake George School District, Public Safety-Other Govt	33,500.00
A.3120.1005 2260	Bolton School District, Public Safety-Other Govt	16,750.00
A.3120.1006 2260	Johnsburg School District, Public Safety-Other Govt	16,750.00

RESOLUTION NO. 113 OF 2020

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
SHERIFF - cont.		
<u>APPROPRIATIONS</u>		
A.3315 120	STOP DWI Program, Salaries-Overtime	\$4,000.00
A.3120.1001 130	School Resource Officers, Hadley-Luzerne School District, Salaries-Part Time	40,409.00
A.3120.1001 830	Social Security	2,505.00
A.3120.1001 831	Medicare Contributions	586.00
A.3120.1002 110	Queensbury School District, Salaries-Regular	24,849.00
A.3120.1002 130	Salaries-Part Time	15,560.00
A.3120.1002 830	Social Security	2,506.00
A.3120.1002 831	Medicare Contribution	585.00
A.3120.1003 130	North Warren School District, Salaries-Part Time	13,934.00
A.3120.1003 830	Social Security	864.00
A.3120.1003 831	Medicare Contribution	202.00
A.3120.1004 130	Lake George School District, Salaries-Part Time	31,120.00
A.3120.1004 830	Social Security	1,929.00
A.3120.1004 831	Medicare Contribution	451.00
A.3120.1005 130	Bolton School District, Salaries-Part Time	15,560.00
A.3120.1005 830	Social Security	965.00
A.3120.1005 831	Medicare Contribution	225.00
A.3120.1006 130	Johnsburg School District, Salaries-Part Time	15,560.00
A.3120.1006 830	Social Security	965.00
A.3120.1006 831	Medicare Contribution	225.00
SOCIAL SERVICES		
<u>ESTIMATED REVENUE</u>		
A.6010 3610	Social Service, Social Service Admin	6,500.00
TE.6010 2401	Expendable Trust, Social Services, Interest & Earnings	20,000.00
<u>APPROPRIATIONS</u>		
A.6010 439	Social Services, Misc Fees & Expenses	6,500.00
TE.6010 110	Expendable Trust, Salaries-Regular	18,525.00

RESOLUTION NO. 113 OF 2020

PAGE 3 OF 3

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
SOCIAL SERVICES - cont.		
<u>APPROPRIATIONS</u>		
TE.6010 830	Expendable Trust, Social Services, Social Security	\$1,206.00
TE.6010 831	Medicare Contribution	269.00

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 2021 for the estimated revenues, appropriations and codes indicated, and be it further

RESOLVED, that the Warren County budget for 2021 is hereby amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 114 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN, BRUNO, WILD, SHEPLER AND STROUGH ACCEPTING PROPOSAL AND AUTHORIZING LAND LEASE WITH NEXAMP SOLAR FOR FLOYD BENNETT MEMORIAL AIRPORT SOLAR OR OTHER APPROVED USE LAND LEASE (WC 44-20)

WHEREAS, the Purchasing Agent has requested proposals for Floyd Bennett Memorial Airport Solar or other Approved Use Land Lease (WC 44-20), and

WHEREAS, the Public Works Committee has approved awarding the contract to Nexamp Solar, now, therefore, be it

RESOLVED, that the Purchasing Agent is hereby authorized to notify Nexamp Solar of the acceptance of their proposal, and be it further

RESOLVED, that Warren County shall enter into a land lease with Nexamp Solar, 101 Summer Street, Floor 2, Boston, Massachusetts 02111, for Floyd Bennett Memorial Airport Solar or other Approved Use Land Lease, pursuant to the terms and conditions of the proposal (WC 44-20), for a term commencing upon execution by both parties and extending for a term not to exceed thirty-six (36) months for design and construction of the solar farm, during which period a fixed rate of One Hundred Seventy Dollars (\$170) per month shall be charged, and be it further

RESOLVED, that once the site construction is complete and the solar farm is operable, Warren County shall, without need for a separate resolution, enter into a second lease agreement with Nexamp Solar for a term commencing upon execution and extending for a term of twenty-five (25) years at a rate of Three Thousand Seven Hundred Sixty-Five Dollars (\$3,765 per acre) for Site 1 and Four Thousand Six Hundred Seven Dollars (\$4,607 per acre) for Site 2, with a two percent 2% increase per year, with the option for one (1) additional five (5) year extension term upon mutual agreement of the parties and the Federal Aviation Administration, and be it further

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute the aforementioned land lease agreements with Nexamp Solar, as well as any other documents that may be required, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 115 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN, BRUNO, WILD, SHEPLER AND STROUGH

ENACTING LOCAL LAW NO. 3 OF 2021, ENTITLED "DISPENSING WITH THE REQUIREMENTS UNDER NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 352 AND AUTHORIZING A LEASE OF AIRPORT REAL PROPERTY"

WHEREAS, a proposed Local Law was duly presented to the Board of Supervisors and considered by them, said proposed Local Law entitled "Dispensing with the Requirements under New York State General Municipal Law Section 352 and Authorizing a Lease of Airport Real Property"; and

WHEREAS, the Board of Supervisors adopted Resolution No. 110 of 2021 on April 1, 2021, authorizing a public hearing to be held by the Board of Supervisors on the 16th day of April 2021, at 10:00a.m., via Zoom on the matter of the Proposed Local Law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing to be heard, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Warren, New York, on this 16th day of April 2021, does hereby enact and adopt Local Law No. 3 of 2021 as annexed hereto, and be it further

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

COUNTY OF WARREN

LOCAL LAW NO. 3 OF 2021 DISPENSING WITH THE REQUIREMENTS UNDER NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 352 AND AUTHORIZING A LEASE OF AIRPORT REAL PROPERTY

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Title. This Local Law shall be entitled “A Local Law Leasing Airport Real Property.”

SECTION 2. Purpose. The purpose of this law is to authorize Warren County, pursuant to the provisions of General Municipal Law Section 352 and County Law Section 215, to lease real property owned by Warren County and part of the Floyd Bennett Memorial Airport (hereinafter “Airport”) for purposes other than aviation and for purposes not required for or necessary to the efficient and successful operation of the Airport.

SECTION 3. Lease of Airport Property. The Board of Supervisors of the County of Warren, New York, shall have the power to lease property at the Airport to individuals, firms, or corporations, for any purpose including purposes unrelated to aviation, and purposes not required for or necessary to the efficient and successful operation of the Airport.

SECTION 4. Supersession. This Local Law shall supersede General Municipal Law Section 352 which limits the lease of airport property to aviation purposes and for purposes required for or necessary to the efficient and successful operation of the Airport.

SECTION 5. Referendum on Petition. This Local Law shall be subject to a referendum on petition as provided by Section 24 of the New York State Municipal Home Rule Law. This Local Law shall take effect forty-five (45) days after its adoption by the Board of Supervisors unless a petition, signed and authenticated by the required number of qualified electors, is filed with the Clerk of the Board of Supervisors as provided by said Section 24 of the Municipal Home Rule, requiring a referendum thereon,

RESOLUTION No. 115 OF 2021

PAGE 3 OF 3

in which event this Local Law shall take effect upon its approval by the affirmative vote of the qualified electors of the County of Warren on a proposition for the approval of this Local Law.

SECTION 6. Severability. In the event that any provision of this Local Law shall be determined by a Court of Law to be illegal and/or unenforceable, this Local Law, to the extent the Courts have determined practical, shall continue in full force and effect as if the said illegal or unenforceable provisions were not contained a part thereof.

Warren County Board of Supervisors

RESOLUTION NO. 116 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN, BRUNO, WILD, SHEPLER AND STROUGH

RATIFYING THE ACTIONS OF THE COMMISSIONER OF SOCIAL SERVICES IN EXECUTING A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF HEALTH DIVISION OF ADULT CARE FACILITIES FOR FUNDING UNDER THE ENHANCING THE QUALITY OF ADULT LIVING (EQUAL) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services requested authorization to submit a grant application to the New York State Department of Health Division of Adult Care Facilities for funding under the Enhancing the Quality of Adult Living (EQUAL) program, for repairs, equipment and programs to improve the quality of life for resident at the Countryside Adult Home, for a term commencing upon grant approval and terminating upon the exhaustion of funds, for an amount not to exceed Two Hundred Twenty-Six Thousand Four Hundred Dollars (\$226,400), and

WHEREAS, the Department of Social Services executed the grant application prior to the April 16, 2021 Board of Supervisors Meeting in order to meet the grant submission deadline, now, therefore, be it

RESOLVED, that the actions of the Department of Social Services be, and hereby are, ratified with regard to executing the grant application to the New York State Department of Health Division of Adult Care Facilities under the Enhancing the Quality of Adult Living (EQUAL) program for repairs, equipment and programs to improve the quality of life for residents at the Countryside Adult Home, for a term commencing upon grant approval and terminating upon the exhaustion of funds, for an amount not to exceed Two Hundred Twenty-Six Thousand Four Hundred Dollars (\$226,400), and be it further

RESOLVED, that upon notification of the grant award, the Chair 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.

Warren County Board of Supervisors

RESOLUTION NO. 117 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SHEPLER, STROUGH, DIAMOND AND DRISCOLL

AUTHORIZING CONTINUATION OF AGREEMENT WITH LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. FOR FAMILY COURT CONFLICT CASES

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a continuation agreement with Legal Aid Society of Northeastern New York, Inc., 55 Colvin Avenue, Albany, New York 12206, to provide free legal services to indigents as a Conflict Defender in the Warren County Family Court for a two (2) year term commencing May 1, 2021 and terminating April 30, 2023 for an amount not to exceed One Hundred Forty-Five Thousand Four Hundred Dollars (\$145,400) per year, in a form approved by the County Attorney, and be it further

RESOLVED, that funds shall be expended from Budget Code A.1170 470 Legal Defense- Indigents, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 118 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SHEPLER, STROUGH, DIAMOND AND DRISCOLL

AUTHORIZING AGREEMENT WITH LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. TO PROVIDE PARALEGAL/CASE MANAGEMENT SUPPORT SERVICES FOR INDIGENT PERSONS FOR THE ASSIGNED COUNSEL OFFICE (OILS CONTRACT #C800052)

WHEREAS, the Administrator of the Assigned Counsel Office has requested to enter into an agreement with the Legal Aid Society of Northeastern New York, Inc. to reimburse the agency for paralegal/case management support services with funding from the Office of Indigent Legal Services (OILS) grant (Contract #C800052) for a term commencing January 1, 2018 and ending upon termination of grant funds from New York State, in an amount not to exceed Fifty-Eight Thousand Five Hundred Fourteen Dollars (\$58,514), and

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

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with the Legal Aid Society of Northeastern New York, Inc., 55 Colvin Avenue, Albany, New York 12206, to reimburse the agency for paralegal/case management support services for indigent persons in the Warren County Family Court with funding from the Office of Indigent Legal Services (OILS) grant (Contract #C800052) for a term commencing January 1, 2018 and ending upon termination of grant funds from New York State, in an amount not to exceed Fifty-Eight Thousand Five Hundred Fourteen Dollars (\$58,514), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1170 470 Legal Defense-Indigents, Contract.

Note: The amount listed in this resolution differs from what was presented to the Criminal Justice Committee due to a clerical error. The correct contract total is listed above and is completely funded by State grant monies.

Warren County Board of Supervisors

RESOLUTION NO. 119 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SHEPLER, STROUGH, DIAMOND AND DRISCOLL

AUTHORIZING AGREEMENT WITH LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. TO PROVIDE PARALEGAL/CASE MANAGEMENT SUPPORT SERVICES FOR INDIGENT PERSONS FOR THE ASSIGNED COUNSEL OFFICE (OILS CONTRACT #C100052)

WHEREAS, the Administrator of the Assigned Counsel Office has requested to enter into an agreement with the Legal Aid Society of Northeastern New York, Inc. to reimburse the agency for paralegal/case management support services with funding from the Office of Indigent Legal Services (OILS) grant (Contract #C100052) for a term commencing January 1, 2020 and ending upon termination of grant funds from New York State, in an amount not to exceed Forty-Five Thousand Dollars (\$45,000), and

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

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with the Legal Aid Society of Northeastern New York, Inc., 55 Colvin Avenue, Albany, New York 12206, to reimburse the agency for paralegal/case management support services for indigent persons in the Warren County Family Court with funding from the Office of Indigent Legal Services (OILS) grant (Contract #C100052) for a term commencing January 1, 2020 and ending upon termination of grant funds from New York State, in an amount not to exceed Forty-Five Thousand Dollars (\$45,000), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1170 470 Legal Defense-Indigents, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 120 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SHEPLER, STROUGH, DIAMOND AND DRISCOLL

**AMENDING AGREEMENT WITH A SUPERVISING ATTORNEY FOR THE
ASSIGNED COUNSEL OFFICE, TO ADD LANGUAGE REGARDING
REIMBURSEMENT FOR FEES AND DISBURSEMENTS**

WHEREAS, Resolution 230 of 2020 (amended further by Resolution Nos. 491 of 2020 and 75 of 2021) authorized an agreement with Robert Gregor, Esq. to provide supervising attorney services for the Assigned Counsel Office at a rate of One Hundred Fifty Dollars (\$150) per hour, continuing so long as grant funding is provided, and

WHEREAS, the Criminal Justice Committee approved a request to add reimbursement of expenses covered by the grant funding of the Supervising Attorney, for a term commencing April 1, 2021 and continuing so long as grant funding is provided, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an amendment agreement with Robert Gregor, Esq. to include reimbursement of expenses covered by grant funding, for a term commencing April 1, 2021 and continuing so long as grant funding is provided, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1170 470 Legal Defense-Indigents, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 121 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SHEPLER, STROUGH, DIAMOND AND DRISCOLL

AMENDING RESOLUTION NO. 32 OF 2020, WHICH AUTHORIZED AN AMENDMENT AGREEMENT WITH RELX D/B/A LEXISNEXIS FOR A SUBSCRIPTION FOR A LAW LIBRARY RESEARCH SYSTEM FOR THE PUBLIC DEFENDER'S OFFICE, TO UTILIZE LEXISNEXIS LEGAL RESEARCH

WHEREAS, pursuant to Resolution No. 356 of 2018, the Chairman of the Board of Supervisors was authorized to execute a continuation agreement with RELX d/b/a LexisNexis, P.O. Box 9584, New York, New York 10087, for a subscription for a law library research system for the Warren County Public Defender's Office, and

WHEREAS, Resolution No. 32 of 2020 increased the number of authorized users, and

WHEREAS, the Criminal Justice Committee has approved a request that Resolution No. 32 of 2020 be amended to include utilization of LexisNexis Legal Research in addition to the current scope of the agreement, at an additional cost not to exceed One Thousand Seven Hundred Dollars (\$1,700), which is covered by New York State OILS Grant funds, now, therefore, be it

RESOLVED, that Resolution No. 32 of 2020 be, and hereby is, amended to include utilization of LexisNexis Legal Research in addition to the current scope of the agreement, at an additional cost not to exceed One Thousand Seven Hundred Dollars (\$1,700), which is covered by New York State OILS Grant funds, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 32 of 2020 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 122 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, SHEPLER, STROUGH, DIAMOND AND DRISCOLL

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 Chair 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. 311 of 2020), for a term commencing April 13, 2021 and terminating April 12, 2022, for an amount not to exceed Five Thousand Five Hundred Dollars (\$5,500), in a form approved by the County Attorney, and be it further

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

Warren County Board of Supervisors

RESOLUTION NO. 123 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS HOGAN, FRASIER, WILD, STROUGH, LEGGETT, GERAGHTY AND MERLINO

AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING UNDER THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT

WHEREAS, the County Planner is requesting approval to submit a grant application to the New York State Housing Trust Fund Corporation, Office of Community Renewal, for Community Development Block Grant Funding under the Coronavirus Aid, Relief and Economic Security (CARES) Act, with the amount of the grant to be determined, now, therefore, be it

RESOLVED, that the Chair of the Warren County Board of Supervisors be, and hereby is, authorized to execute and submit a grant application to the New York State Housing Trust Fund Corporation, Office of Community Renewal for Community Development Block Grant Funding under the Coronavirus Aid, Relief and Economic Security (CARES) Act, with the amount of the grant to be determined, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 124 OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LEGGETT, WILD, CONOVER AND
DIAMOND**

**AUTHORIZING AGREEMENT WITH NEEDHAM RISK MANAGEMENT RESOURCE
GROUP, LLC TO PRODUCE A COMPUTER-BASED TRAINING VIDEO FOR TRAINING OF
BOARD OF ELECTIONS INSPECTORS**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with Needham Risk Management Resource Group, LLC, to produce a computer-based training video for training of Board of Elections Inspectors, for a term commencing upon execution by both parties and terminating upon thirty (30) days written notice by either party, at an hourly rate of One Hundred Ten Dollars (\$110), for a total amount not to exceed Three Thousand Nine Hundred Sixty Dollars (\$3,960), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1450 470 Board of Elections, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 125 OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LEGGETT, WILD, CONOVER AND DIAMOND
ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH
INFO QUICK SOLUTIONS, INC. FOR ELECTRONIC DOCUMENT MANAGEMENT AND
ARCHIVAL RECORDS MANAGEMENT SYSTEM FOR THE
WARREN COUNTY CLERK'S OFFICE (WC 13-21)**

WHEREAS, the Purchasing Agent has requested proposals for Electronic Document and Records Management Services for the Warren County Clerk's Office (WC 13-21), and

WHEREAS, the County Clerk has recommended that Warren County award the contract to Info Quick Solutions, Inc., now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent notify Info Quick Solutions, Inc., of the acceptance of their proposal, and be it further

RESOLVED, that Warren County enter into an agreement with Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, New York 13090, for Electronic Document and Records Management Services for the Warren County Clerk's Office, pursuant to the terms and conditions of the request for proposals and proposal (WC 13-21), for a term commencing upon execution by both parties and terminating five (5) years from date of execution, with the option for up to three (3) additional one (1) year terms upon mutual agreement of the parties, without the need for a further resolution, and be it further

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

RESOLVED, that the funds shall be expended from Budget Codes A.1410 425 County Clerk, Reproduction Expenses and A.1665 425 Public Records, Reproduction Expenses.

Warren County Board of Supervisors

RESOLUTION NO. 126 OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LEGGETT, WILD, CONOVER AND DIAMOND
COMMEMORATING THE 100TH ANNIVERSARY OF THE NEW YORK STATE
ASSOCIATION OF COUNTY CLERKS AND THE 100TH ANNIVERSARY OF DMV
OPERATIONS IN THE WARREN COUNTY CLERK'S OFFICE**

WHEREAS, the Office of the County Clerk is one of the earliest functions of Warren County governments since the County's creation in 1813, and

WHEREAS, the recordkeeping responsibilities of the County Clerk under the Constitution of the State of New York include all land records within the County as well as the court records of both Supreme and County Court and innumerable other critical series of records essential to the well-being and prosperity of the People of Warren County, and

WHEREAS, the County Clerks across this State also perform the vital function of revenue collectors for Cities, Towns and Villages within the County, for certain regional entities, for State Courts and for State government itself in amounts that greatly exceed the revenue retained for their Counties, and

WHEREAS, the year 2021 marks the one hundred years since the formation of the New York State Association of County Clerks (NYSACC) in a statewide meeting of County Clerks on February 25, 1921, in Rochester, New York, and

WHEREAS, since 1921, the County Clerks of Warren County, together with their peers from throughout New York State, have worked collaboratively to recommend changes in State laws that would standardize fees, improve services, and promote efficiency in order to more effectively serve the People of Warren County and all the Counties within New York State, and

WHEREAS, the County Clerks and their Association over thirty years ago provided the driving force to create the Local Government Records Management Improvement Fund, and to this day collect all the revenue for said Fund, which Fund has to date provided over one hundred million dollars to all levels of

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local government across this State to preserve and protect the records held by these local governments, and

WHEREAS, the dramatic rise in vehicle registrations after the First World War caused the State to enlist the help of County Clerks, first in registering vehicles and later in licensing automobile drivers, thus beginning the important function of operating County Motor Vehicle offices throughout New York State to serve Warren County residents for the past one hundred years, and

WHEREAS, the Warren County Clerk's Office provides in accordance with Penal Law Section 400 the administrative lead, together with the Warren County Sheriff's Office as investigators, and the Warren County Judge as Licensing Officer, in the issuing of pistol permits to the residents of Warren County, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby recognizes and commends the Warren County Clerk's Office and the Warren County Department of Motor Vehicles for their dedicated and tireless service to the People of Warren County, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby congratulates the New York State Association of County Clerks on the 100th Anniversary of its founding and hereby transmits this congratulatory message to the Association, its executive body, and statewide membership during this anniversary year of 2021.

Warren County Board of Supervisors

RESOLUTION NO. 127 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, LEGGETT, WILD, CONOVER AND DIAMOND ADOPTING THE 2021 PURCHASING POLICY FOR WARREN COUNTY

WHEREAS, the Purchasing Agent for Warren County has updated and clarified the Warren County Purchasing Policy and the Governmental Operations & Advocacy Committee has recommended that the same be advanced to the full Board of Supervisors for consideration, and

WHEREAS, the updated and clarified Warren County Purchasing Policy is included with this resolution as Schedule "A," now, therefore, be it

RESOLVED, that the proposed 2021 Purchasing Policy for Warren County, annexed hereto as Schedule "A," be and the same is hereby adopted as the official policy for Warren County, and be it further

RESOLVED, that any and all prior Purchasing Policies, Resolutions or parts thereof inconsistent with the 2021 Purchasing Policy are hereby repealed, except that the former Purchasing Policy, as amended, shall continue to apply to any purchases made under the former Policy and to those purchases started but not completed under said former Policy.

**WARREN COUNTY
PURCHASING
POLICY

2021**

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SECTION I

I. INTRODUCTION

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

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

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

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

For purposes of this policy please note the following definitions:

- Bid: Typically applies to commodities and public works. Awards are based solely on lowest price.
- RFP: Applies to professional services where negotiations may be required and price is not the sole criteria when evaluating.
- Best Value: See Best Value Methodology explanation beginning on page 13
- True Lease: Lease of equipment whereby said equipment will be turned into the vendor at the end of the lease term with no option for buy out.

SECTION II

II. PURCHASING PROCEDURES

A. Procedures Applicable to all Purchases Regardless of Dollar Amount

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

1. Confirm that there isn't already a County bid for the item(s).
2. If there's no County bid, check Preferred Source Offerings in the following order:
 - a. Corcraft
New York State Department of Correctional Services
Division of Industries
550 Broadway, Menands, NY 12204
Ph: 518-436-6321
Fax: 518-436-6007
website: <http://www.corcraft.org>
 - b. NYS Preferred Source Program for People Who are Blind (NYSPSP)
136 State Street, 2nd Floor
Albany, NY 12207
Ph: 518-621-0605
Fax: 518-456-3587
website: <http://www.nyspsp.org>
 - c. New York State Industries for the Disabled, Inc.
11 Columbia Circle Drive
Albany, NY 12203
Ph: 518-463-9706
Fax: 518-463-9708
e-mail: administrator@nysid.org
website: <http://www.nysid.org>

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

3. If the item/service is not available from a Preferred Source, search the New York State Office of General Services (NYS OGS) website <https://www.ogs.state.ny.us/Purchase/Search/default.asp> for a State Contract. Purchases should be made through available State Contracts (OGS), or under County contract pursuant to Section 408-a of the County Law, and Subd 3 of General Municipal Law (hereinafter "GML") §103 revised in 2013 to allow purchases of materials, equipment or supplies, or to contract for services through any county within the state, whenever such purchases are deemed by the Purchasing Agent to be in the best interest of the County.
4. If no State Contract is available, or you feel the County can obtain better pricing than State Contract, then Purchasing will proceed with a County bid or the Department may obtain quotes, depending on the dollar thresholds (see pages 8-15).

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5. The County is also authorized to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, as authorized by the addition of Subdivision 16 as an amendment to GML §103, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein. The contract must be let in a manner that constitutes competitive bidding to the lowest responsible bidder, or on the basis of best value, “consistent with state law”, meaning in harmony with New York State Law, and made available for use by other governmental entities. Purchases made in accordance with GML §103(16) are not subject to the competitive bidding requirements of GML §103 at the local level as bidding has already been done in accordance with GML §103 by the lead agency. The stated purpose of GML §103(16) is to reduce costs, and increase efficiencies. The prerequisites that must be met are as follows:
 - a. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. Therefore, there must be an underlying contract let by one of the listed governmental entities. Contracts developed for use by local governments that are let by private parties (e.g. a private company, association or not-for-profit corporation is the party awarding the contract to the vendor), and not by the United States or any agency thereof, any state or any other political subdivision or district therein, would not fall within the exception.
 - b. The contract must have been made available for use by other governmental entities. This means that the other governmental entity has taken steps to make its contract available for New York local governments by including a clause extending the terms and conditions of the contract to other governmental entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within the exception.
 - c. The contract must have been let in a manner that constitutes competitive bidding “consistent with state law”. “State law” refers to New York State’s bidding law applicable to its political subdivisions (GML §103 and related case law). Departments exercising the option to purchase under this exemption will be required to obtain background information on the procedures used to let the contract and, as necessary, consult with counsel, to determine whether this prerequisite is met.
6. As allowed by law (see paragraph 5 above), the County has become a member of several National Cooperatives including: National Joint Powers Alliance (NJPA) now known as Sourcewell; US Communities and National IPA/TCPN now known as Omnia Partners; National Cooperative Purchasing Alliance (NCPA); and Pennsylvania Education Purchasing Program for Microcomputers (PEPPM). The Purchasing Department utilizes these cooperatives on a regular basis in determining the best course of action for particular purchases. Vendors may reference one of these cooperatives in discussions with departmental employees. Purchasing should be consulted to confirm that the company is, in fact, a participating vendor.
7. Vendor numbers must be requested for each vendor receiving payment from Warren County. All requests for new or changed vendor numbers must be submitted to the Purchasing Department. Vendor numbers are necessary in order to complete a Purchase Order and must contain the following information:
 - a. Correct and full name of the individual/organization
 - b. Remittance address for payment & phone number
 - c. Federal ID or Social Security Number
 - d. Reason for payment (so that Purchasing can identify 1099 status)

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

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

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

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

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

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

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

9. A contract is always required when a service is being provided to the County (regardless of dollar amount). Where appropriate, short form contracts are available for longer or indefinite terms, only if under the quote threshold and contract amounts don't increase. When determining the term of a contract, please take into consideration the nature of the procurement: What is the likelihood that the original term may be extended? Most contracts are capped at 3 years, with an initial one year term and two additional (optional) one year extensions. More involved contracts with larger investments by the Contractors may have longer terms which will be negotiated as part of the contract process.

In consultation with and in a form approved by the County Attorney, the Chair of the Board of Supervisors (or the Vice-Chair in his/her absence) shall have authority to execute contracts without the need for a Board Resolution for contracts under \$1,000.99 annually. The Department Head must provide the Chair of the Board with their approval prior to execution of the contract. Contracts over \$1,001.00 annually shall require Board Resolutions unless blanket authority (by Resolution) has already been given to the Department.

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

(5) day requirement is not met, the bid opening date will be changed in order to comply.

11. GML §103 makes it possible for the County to standardize on a particular type of material or equipment. A Resolution approved by the Department's standing committee and at least two-thirds majority of the Board of Supervisors, shall state that for reasons of efficiency or economy, there is a need for standardization. Such reasons may include, but are not limited to the following:
 - a. Larger quantities of fewer items;
 - b. More economical buying;
 - c. Flexibility of inventory;
 - d. Reduction of purchasing time;
 - e. Lower departmental operating costs; and
 - f. Reduced inventories

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

12. Anticipate your needs! Once you have determined what you need, within the limitations of your budget, contact Purchasing to help you develop the specifications for the quote or bid to get the best value possible for the expenditure of tax dollars. The key is time and preparation. Turn around time is dependant on many factors ranging from the complexity of the specifications, and the need for a pre-bid meeting and addendums to the number of bids and quotes currently in process with Purchasing. **Remember, poor planning does not move your request to the top of the list!**
13. Warren County takes the position, consistent with County Law §369; [the] State Comptrollers Opinions 81-83 and [Opinion] 81-90; and good business sense, that prepayments should not be made using County funds.
14. As standard business procedure, all County vendors are entitled to prompt payment. Invoices should be processed as soon after goods/services are obtained and in accordance to batch deadlines established by the County Auditor. **If the Auditor receives any claims for goods or services for which no Purchase Order was issued, the Purchasing Agent in conjunction with the County Auditor will have the authority to nullify the payment of such claim.**
15. The Purchasing Department endeavors to aide in getting Departments the right material on time. There will be occasions when inferior goods or services are received or they are not received in a reasonable amount of time. If the problem cannot be resolved by the Department it should be reported to Purchasing as soon as possible. This can be done via e-mail or phone. Remember to include the vendors name, bid number, the problem you have with the order and your name and extension. Purchasing will contact the vendor and try to come to a resolution of the problem. If necessary the County Attorney's Office will be contacted for assistance.
16. When developing specifications, it is understood that Departments may require the expertise of vendors. When consulting with vendors it must be clearly stated that their services, in no way, give them an advantage in the bidding or proposal process. Departments must be especially diligent in this situation to ensure that the specifications are not written in such a way that the consulting vendor is given such an advantage (i.e. writing the specifications so narrowly that only their company or firm can respond).
17. When the County is seeking commodities, public works and/or professional services to be funded by New York State and/or Federal Grants, the Purchasing Department will actively and affirmatively solicit bids for supplies and/or contracts from qualified New York State certified MBEs or WBEs as more fully set forth in Warren County Resolution No. 635 of 2014. In the event the County receives Federal grant funding, Uniform Guidance provisions apply as required by CFR Title 2 Part 200, which are attached hereto as Appendix "A".

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Expenditures and contracts funded by New York State must be in compliance with New York State Executive Law Article 15-A revised on June 16, 2019 which expands the provisions for meeting M/WBE utilization goals and awarding bids to MWBE's. The law applies to professional services public works and commodities, or any combination thereof, in excess of \$25,000; and acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon in excess of \$100,000. Whether or not such procurements meet bidding thresholds, the Purchasing Department must be consulted to ensure compliance with the requirements of said Law.

18. P-Cards may be utilized on a limited basis for purchases in accordance with the Credit Card Policy adopted by the Board of Supervisors via Resolution No. 222 of 2015 and subsequently amended by Resolution Numbers 460 of 2015, 133 of 2019, 411 of 2019 and 72 of 2020. Even when using a P-Card, procurements must be made in compliance with this policy.

B. Procedures Specific to Each Type of Purchase¹

1. Commodity/Equipment/Furniture Purchases

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

a. Competitive Bidding:

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

¹Commodities vs. Public Works

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

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

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

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

1. Commodity/Equipment/Furniture Purchases (continued)

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

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

Vendor lists shall not be released prior to a bid opening as this may adversely affect the bids received and/or encourage collusion. Any requests received by a County department for this information are to be directed to Purchasing.

After the public opening of a sealed bid, a tabulation sheet shall be prepared, recording all pricing as submitted by the responding vendors. The appropriate Department(s) shall evaluate the bid responses and prepare a recommendation letter.

b. Bid Approval Process:

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

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

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

c. Bidding Timeline:

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

1. Requisition or request for bid comes to Purchasing
2. Plus up to 15 working days until Purchasing begins bidding process
3. Plus 5 working days for Purchasing to review documents
4. Plus appropriate time to supply Purchasing with approved set of documents

1. Commodity/Equipment/Furniture Purchases (continued)

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

d. Dollar limit guidelines:

- \$1 - \$3,000.99: Purchases can be made at the discretion of the Purchasing Department and/or Department Head. All equipment/furniture costing more than \$3000.00 aggregate, (ex. 10 chairs costing \$350 each for a total of \$3,500) requires 3 verbal quotes. For coding purposes, ANY equipment/furniture with a useful life of more than one year shall be a .2 object code regardless of cost.
- (\$1 - \$3,000.99): (.2 & .4 codes):
- \$3,001 - \$10,000.99: Documented verbal quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from Purchasing BEFORE the item is ordered.
- \$10,001 - \$19,999.99: Formal written or fax quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from the appropriate committee, and a Board of Supervisors Resolution adopted BEFORE the item is ordered.
- \$20,000 & Up: Sealed bids in conformance with GML §103. When the lowest bid is deemed as not acceptable, documented facts must support the decision and approval must be obtained from the appropriate committee, and a Board of Supervisors Resolution adopted BEFORE the item is ordered.

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

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

2. Public Works Projects/Contracts

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

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

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

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

a. Competitive Bidding:

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

b. Bid Approval Process:

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

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

c. Bidding Timeline:

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

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

d. Dollar limit guidelines:

- | | |
|-------------------------|--|
| \$1 - \$5,000.99: | At the discretion of the Department Head. |
| \$5,001 - \$19,000.99: | Written or fax quotes from at least 3 separate vendors, if available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered. |
| \$19,001 - \$34,999.99: | Formal written or fax quotes from at least 4 separate vendors, if available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered. |
| \$35,000 & Up: | Formal sealed bids according to GML §103. When the lowest bid is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered. |

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

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

f. **Retainage:**

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

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

Exceptions - This policy does not apply to the following:

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

3. Best Value Methodology

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

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

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

Requirements:

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

- a. Document in the procurement record as a component of the competitive award process and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- b. Shall select a formal competitive procurement process in accordance with guidelines established under this policy and document the determination in the procurement record. The process of selection shall include, but may not necessarily be limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerors to submit responsive offers; and a balanced and fair method of award. Where the basis for award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria

to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.

- c. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

4. Professional Services

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

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

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

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

When the County is seeking professional services to be funded by Community Development Block Grant ("CDBG") funding, a Notice to Professionals must be advertised in the official County newspapers, as well as the appropriate MWBE publications required by New York State. The Purchasing Department is responsible for placing said ads as part of the procurement

3. Professional Services (continued)

process provided an RFP is required, and in all other instances the Department Head shall bare similar responsibility.

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

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

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

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

\$1 - \$5,000.99: No solicitation of quotes or proposals is required at the discretion of the Department Head (quotes or proposals are encouraged when practical).

\$5,001-\$19,999.99: Written quotes from at least 3 qualified sources, where available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

\$20,000 & Up: RFP through the Purchasing Department from at least 3 qualified sources, where available. When the lowest proposal is deemed as non-responsive, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

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

C. Exemptions and Exceptions to Purchasing Policy:

1. It will NOT be necessary to seek quotes, RFP's or bids to comply with this Purchasing Policy for the following, however, contracts for services shall still be required (unless it's determined by the County Administrator, Chair of the Board and/or the County Attorney that one is not required):
 - a. Emergencies: GML §103(4) describes an emergency as an urgent need affecting the health and safety of citizens, which requires immediate action, where the occurrence or condition is "unforeseen". Lack of anticipation or planning cannot be deemed as a cause for declaring an emergency. A true emergency does not exclude the need for securing competitive pricing, only the formal bidding process. An exception to the competitive bidding requirements exists for emergency situations. There are three basic statutory criteria to be met in order to fall within this exception. These are that: (1) the situation arises out of an accident or unforeseen occurrence or condition; (2) public buildings, public property or the life, health, safety or property of the political subdivision's residents are affected; and (3) the situation requires immediate action which cannot await competitive bidding. When the Board of Supervisors passes a Resolution that a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances. The County Attorney and the Chair[man] of the Board shall be consulted and will make a recommendation as to how to proceed. The Board of Supervisors' committee chairperson (and committee, if time permits) shall also be advised.
 - b. Employment and Training Services obtained through SUNY Adirondack and/or Washington-Saratoga-Warren-Hamilton-Essex (WSWHE) Board of Cooperative Educational Services for educational services.
 - c. Membership dues and conference fees.
 - d. All Physicians, Dentists and any Medical Providers for departments including, but not limited to, the Health Services Department, Warren County Sheriff's Office, Office of Emergency Services, Self-Insurance, Countryside Adult Home and the Department of Public Works. Also included shall be counseling services for the Office of Community Services. Data from other counties or individuals may be used to compare costs.
 - e. Attorneys needed for a particular or specialized requirement as reviewed and approved by the Finance Committee.
 - f. Situations not required by Law such as New York State Executive Law, Article 2B, State and Local Natural and Man-Made Disaster Preparedness Subsection 29A Suspension of Other Laws.
 - g. Subscriptions for updates to existing Law Libraries.
 - h. Public works services where, upon the determination by the Department Head, it is not

feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repairs to be handled by County employees including auto body repairs), until the item is inspected and/or dismantled and a cost for inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes. If auto repairs are authorized by the Insurance Carrier as a result of an accident, Department Head may proceed upon the recommendation of the Insurance Adjuster.

- i. Pursuant to GML §103(6), surplus and second hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the Federal Government, the State of New York or from any other political subdivision, district or public benefit corporation.
 - j. When procurements for goods or services are funded by State and/or Federal agencies, and procurement policies other than Warren County's are required, by law, to be followed, the Federal and/or State procurement policies shall supercede the County's Purchasing Policy.
 - k. Produce purchases which shall not exceed \$20,000 in the aggregate on an annual basis, due to the volatility of the market, large minimum order requirements, and remoteness of some County sites. In the event of large orders over \$1,500 per site, quotes must be obtained.
2. Quotes or proposals are not required for Sole Source & Single Source Commodities or Services

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

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

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

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

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

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

A single source could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. Should you have a situation involving a single source supplier, a letter on the manufacturer’s letterhead must be on file with the Purchasing Department confirming the single source authorized vendor.

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

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

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

- a. After a Department has been given budget funding and approval to lease equipment, unless the lease is on State Contract, RFP’s must be obtained through the Purchasing Department. Where a lease will not exceed a total of \$2,000 annually, no RFP shall be required. Quotes must be obtained and the Purchasing Agent shall sign the lease as indicated in Section II(C)(3)(e) below.
- b. A written explanation must be sent to Purchasing when the lowest lease quotation or response to an RFP is not taken, and a Board of Supervisors Resolution must be obtained;
- c. Appropriations must be specifically available for the lease (this will be considered authorization by the Board to enter into the lease);
- d. The lease agreement entered into may be for multiple years but must:
 - i. not contain any automatic buyout or automatic renewal clauses;
 - ii. contain a non-appropriation clause; and
 - iii. address the disposition of the equipment at the end of the lease so that the vendor pays the cost for return of the equipment, etc.
- e. All lease agreements shall be treated as purchases and signed by the Purchasing Agent; and

- f. While the lease agreement may not contain an automatic renewal clause, at the end of the lease term, departments may extend the lease agreement beyond the original term for a period of up to 18 months without securing additional quotes or engaging in an RFP process provided that:
- i. the lease payments do not increase;
 - ii. the department has appropriations therefore; and
 - iii. Purchasing Agent approval is received.
- Any extension longer than eighteen (18) months must be justified to, and authorized by, the Purchasing Agent.

SECTION III

III. PURCHASE ORDERS

A. General

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

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

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

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

1. Vendor/vendor number
2. County contract/resolution/bid number/quotation information/state contract number
3. Comments/special instructions
4. Description of goods and services being ordered
5. Quantity/unit of measure
6. Unit price/extension and total cost
7. Commodity codes/budget codes
8. Asset status (if over \$1,000)
9. Attached documents are correct/complete (i.e. state & national contracts, piggyback documents from other Municipalities, Travel Authorization Forms, etc.)

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

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

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

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

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

B. Blanket Purchase Orders

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

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

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

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

C. Emergency Purchase Order

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

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

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

D. Purchase Order Checklist

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

- √ Is the vendor remit to address correct (submit vendor form to Purchase if a change is required).
- √ Is the description complete ? (One-time message should include bid number, state contract number, quotes and/or any other information relevant to the purchase). If the one-time message indicates that the purchase is from a sole source vendor, a copy of the sole source letter must be [provided to the Purchasing Department or] attached as a document to the PO.
- √ Is the form type "REGULAR-REGULAR"? ("REG-Regular" should not be selected.)
- √ Deliver by Date and Expiration Date fields must be left blank.
- √ Is the correct Resolution Number referenced in the Resolution Field (not in the one-time message)? Confirm that the authorizing resolution is current.
- √ Is the dollar amount correct? Does it match the contract or quote amount? We cannot approve PO's that exceed the authorized amount.
- √ Create New Asset Box - if the item is less than \$1,000 use the item code for items <\$1000 which will automatically uncheck the asset box.
- √ Contracts - If applicable, has the contract been signed? The Purchasing Department will not approve PO's until it's confirmed that the contract is fully executed. If the contract is for an exact dollar amount, it must be attached to the PO prior to approval.

SECTION IV

IV. ASSET MANAGEMENT

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

A. Fixed Assets

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

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

Upon receipt of an asset valued over \$1,000, the Treasurer's Office will issue a numbered inventory sticker to be attached to the new asset. Stickers are necessary to provide positive identification of assets. They also provide a quick and accurate method of identifying assets during the annual physical inventory. If a sticker is lost or damaged the Department should contact the Treasurer's Office.

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

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

B. Capital Assets

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

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

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

SECTION V

V. TRANSFER AND SALE OF SECOND-HAND EQUIPMENT

The Purchasing Agent is designated by the Board of Supervisors to be responsible for the salvage control program. The same precautions must be taken when disposing of property as when purchasing. A Physical Inventory Deletion Form is needed for items sold, scrapped or traded in. Surplus equipment may be transferred to another department where it is needed by using a Property Transfer Form. Both forms are available through the Purchasing Department. The Purchasing Agent is solely authorized to sell or trade in used and/or obsolete equipment to a vendor, even those under State Contract, and to accept a trade in allowance from such vendor. If all above procedures have been exhausted, the Purchasing Agent will arrange to sell such articles at a widely advertised public auction, on-line auction through a contracted Auction, or on eBay. Items that have no value and are broken beyond repair, must be properly disposed of by the appropriate Department

Department personnel assigned the task of inventory management are to report any surplus equipment or materials they have to the Purchasing Department. These items will be made available, by the Department Head (with pictures and detailed descriptions) to all other County Departments on a first-come first-served basis. If an asset remains unclaimed after 5 business days, the Purchasing Department will make available to the towns, village and city in Warren County using the same pictures and description. If unclaimed by local municipalities within 5 business days, then the Purchasing Agent will determine the most beneficial disposition of the surplus equipment.

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

Items under the asset threshold of \$1,000 sold to another municipality shall require proper documentation of the sale, i.e. invoice of sale and completion of a deletion form created specifically for this purpose and available through the Purchasing Department. Funds shall be deposited in Purchasing Department Revenue Code A.1345 2665 unless legally required to be deposited elsewhere.

SECTION VI

VI. PURCHASING POLICY - GENERAL CONDITIONS

- ▶ The Purchasing Agent is appointed at the pleasure of the Board of Supervisors and is responsible for reviewing and administering the purchasing policy of Warren County.
- ▶ Employees of the Purchasing Department shall maintain effective and professional public, vendor and customer relationships.
- ▶ To maintain a high level of quality service to Warren County Departments and Municipal Subdivisions, Purchasing staff shall participate in educational opportunities offered in the purchasing field, and keep abreast of current developments in market conditions, pricing, new products and the Law.
- ▶ The Purchasing Policy herein shall be administered in accordance with all ethical rules called for by the County of Warren.
- ▶ Any County Officer or employee who has, will have, or acquires an interest in, any actual or proposed contract with the County of which he/she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to the Board of Supervisors as soon as he/she has knowledge of an actual or prospective interest. This written disclosure will be made part of the official minutes of the Board of Supervisors. **If an officer or employee has a reason to believe that he/she may have a conflict of interest, the office of the County Attorney should be contacted immediately.**
- ▶ Each Purchase Order will be examined by a member of the Warren County Purchasing Department and processed according to the guidelines set forth under the section of applicable Purchasing Procedures.
- ▶ The Warren County Purchasing Department and Department Heads will maintain adequate documentation of all action taken in connection with each method of procurement. Such documentation may include, but not be limited to any and all pertinent Board Resolutions, Memoranda, Written Quotes, Contracts and any other appropriate form of documentation.
- ▶ Opportunity will be provided to all responsible suppliers to do business with the County. To this end, the Purchasing Department will maintain a listing of potential bidders for the various types of material, equipment, supplies and services used by County Departments. This list will be used for the distribution of notices for bids and quotes. Any supplier may be included on the list upon request.
- ▶ Suppliers will be removed from the bidders list if they make a formal written request, or if the Purchasing Agent finds the supplier to be an irresponsible bidder. This is determined by failing to provide proof of responsibility, having repeatedly made slow or unsatisfactory delivery of supplies or services, or having been found by a Court of competent jurisdiction to have engaged in unlawful employment or business practices within the previous 12 months.

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- ▶ Supplies used by various County Departments should be uniform whenever consistent with operational goals in the interest of efficiency or economy. The material, equipment, supplies, and services purchased by Warren County shall be of the quality and quantity required to serve ALL departments in a satisfactory manner, as will be determined by the requisitioner and the Purchasing Agent.
- ▶ Credit cards or P-Cards whose use is approved by the Clerk of the Board of Supervisors are held by same and signed out for use by County staff. Some Departments hold cards specific to their operations and reference is herein made to the County Credit Card Policy for further details.
- ▶ On occasion, County Departments are asked by vendors to complete credit applications in order to be able to set up an account. Said applications should not be returned as the County is not applying for credit. In most cases, a Purchase Order is sufficient documentation for the vendor to set up an account.
- ▶ No official or employee will be interested financially in contracts entered into by the municipality (as defined in Section 800 of General Municipal Law). This also precludes acceptance of gratuities, financial or otherwise, as stated in the Warren County Code of Ethics.
- ▶ The County of Warren will not be deemed responsible for any commitment made at the departmental level circumventing these procedures. If County procedures are circumvented, disciplinary action may be taken.
- ▶ Salespersons are encouraged to visit the Purchasing Department prior to or in conjunction with initial, individual Department contact.
- ▶ The Governmental Operations & Advocacy and/or Finance Committees will annually review the policies and procedures set forth in this manual prior to adoption by the Warren County Board of Supervisors.
- ▶ The unintentional failure to fully comply with the provisions of GML §103 and 104-b shall not be grounds to void any action taken or give rise to cause of action against the County of Warren, the Purchasing Department, or any officer or employee thereof.
- ▶ The County Attorney and the Warren County Board of Supervisors shall make the final decision regarding any issues related to procurement of goods and services for Warren County.
- ▶ Standard lists of commonly used items shall be jointly developed for all categories or groups of supplies by the Purchasing Agent and the appropriate requisitioners. These lists shall be used as a basis for determining the feasibility for obtaining quotations on quantity purchases or the necessity of advertising for formal bids.
- ▶ It is the responsibility of the Purchasing Agent to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Agent, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the Board of Supervisors, after reviewing all available data, should make the final determination.

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- ▶ The Purchasing Department offers a vendor library which includes many reference materials. NYS OGS contracts, vendor catalogues, preferred source catalogues, industrial buying guides, and all materials pertaining to Warren County bids. These materials may be viewed in the Purchasing Department Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.

- ▶ When a low bidder proposes an alternative as an “equal” to that specified, it is the responsibility of the Department Head to determine whether the proposed substitution is, in fact, an equal.

- ▶ Grant/Revenue and Asset Forfeiture funding is NOT exempt from the County’s Purchasing Policy or GML §103 or §104-b. These funds are still considered to be taxpayer money and procurement guidelines must be followed as with any other budgetary appropriation.

- ▶ The Purchasing Department posts all public bid documents on the County’s WCEAS system, including, but not limited to:
 - * Specifications
 - * Recommendation Letters
 - * Resolutions
 - * Extension Letters
 - * Addenda
 - * Award Letters
 - * Tab Sheets

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

APPENDIX “A”

Uniform Guidance for Federal Awards

Purpose

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

General Policy Statement

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

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

§200.318 General Procurement Standards

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

Uniform Guidance for Federal Awards (continued)

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

§200.319 Competition

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

Uniform Guidance for Federal Awards (continued)

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

§200.320 Methods of Procurement to be Followed

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

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

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

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

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

§200.323 Contract cost and price

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

§200.324 Federal awarding agency or pass-through entity review

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

§200.325 Bonding requirements

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

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

§200.326 Contract provisions

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

Warren County Board of Supervisors

RESOLUTION No. 128 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, CONOVER, HOGAN AND STROUGH

APPOINTING MEMBERS TO THE WARREN COUNTY COMMUNITY SERVICES BOARD

RESOLVED, that Christian Hanchett be, and hereby is, appointed to the Warren County Community Services Board for a term commencing April 16, 2021 and terminating December 31, 2021, due to the resignation of Maureen Schmidt.

Warren County Board of Supervisors

RESOLUTION NO. 129 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, CONOVER, HOGAN AND STROUGH

AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN WARREN COUNTY OFFICE FOR THE AGING AND WARREN COUNTY HEALTH SERVICES TO PROVIDE ASSISTANCE IN ANSWERING PHONES AND REGISTERING SENIORS FOR COVID VACCINE CLINICS

RESOLVED, that the Warren County Board of Supervisors hereby authorizes a memorandum of understanding between the Warren County Office for the Aging and Warren County Health Services to provide assistance in answering phones and registering seniors for COVID vaccine clinics, for an amount not to exceed Twenty Thousand Two Hundred Sixty-Nine Dollars (\$20,269), for a term commencing March 1, 2021 and terminating May 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.6772 470 OFA-Warren County, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 130 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, FRASIER, MAGOWAN, DICKINSON AND SMITH

APPOINTING/REAPPOINTING MEMBERS TO THE WARREN COUNTY YOUTH BOARD

RESOLVED, that the following are hereby appointed to the Warren County Youth Board for the term opposite their name:

NAME	TITLE	TERM
Wendy Burkowski	Town of Bolton Recreation Commission Board Member	01/01/2021 - 12/31/2021
Jill Metcalf	Employment & Training Admin. Youth Counselor	01/01/2021 - 12/31/2021
Cathy O'Brien	Lake George Youth Commission Director	01/01/2021 - 12/31/2021
Lori O'Shaughnessy	Town of Queensbury Assistant Parks & Recreation Director	01/01/2021 - 12/31/2021

Warren County Board of Supervisors

RESOLUTION NO. 131 OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS MERLINO, DICKINSON, MAGOWAN AND GERAGHTY
(ALTERNATE COUNTY MEMBER - SUPERVISOR HOGAN)**

AUTHORIZING FEE FOR USE OF THE FESTIVAL COMMONS AT THE CHARLES R. WOOD PARK FOR THE WORLD AWARENESS CHILDREN'S MUSEUM

WHEREAS, the Park Operations & Management (O&M) Committee recognizes the value of programs administered and funded by the World Awareness Children's Museum, and

WHEREAS, the World Awareness Children's Museum plans to host a food sampling event at the Festival Commons at the Charles R. Wood Park on June 13, 2021 from 2:00 p.m. until 5:00 p.m., and

WHEREAS, the Warren County Board of Supervisors via Resolution No. 222 of 2019 previously adopted a reduced event fee rate of Five Hundred Dollars (\$500) per day for half-day events utilizing the Festival Commons at the Charles R. Wood Park between the hours of 8:00 a.m. and noon, and

WHEREAS, in recognition of the foregoing, the Park Operations & Management (O&M) Committee has suggested authorizing a fee of Five Hundred Dollars (\$500) for use of the Festival Commons at the Charles R. Wood Park during the food sampling event to be hosted by the World Awareness Children's Museum on June 13, 2020, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes a fee of Five Hundred Dollars (\$500) for use of the Festival Commons at the Charles R. Wood Park during the World Awareness Children's Museum food sampling event to be held on June 13, 2021.

Warren County Board of Supervisors

RESOLUTION NO. 132 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, MAGOWAN, BRAYMER, FRASIER 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 expire on April 30, 2021 and Ann Marie Mason, Director of the Warren County Office of Emergency Services, has made recommendations for the appointment of members to commence May 1, 2021 and expire April 30, 2022, now, therefore, be it

RESOLVED, that pursuant to the recommendations of Ann Marie Mason, 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, Warren County
Patrick Mellon	1 st Deputy Coordinator, Warren County
Travis Howe	2 nd Deputy Coordinator, Warren County
John Tims	3 rd Deputy Coordinator, Warren County
Laura Stebbins	Director of Emergency Preparedness, Glens Falls Hospital
Ginelle Jones	Director of Public Health, Warren County
James Ogden	Fire Coordinator, Warren County
Jacob Benson	Bay Ridge EMS Department
Earl Mikoloski	Bolton EMS Department
Eric Catalfamo	Empire EMS Department
James Schrammel	Glens Falls EMS Department
Margaret Haskell	Hague EMS Department
Kevin Fusco	Johnsburg EMS Department
Chris Hawley	Lake George EMS Department
Scott Stone	Rockwell Falls EMS Department
Doug Wildermuth	North Queensbury EMS Department
Issachar Modert	North Warren EMS Department
Nate Thomas	Stony Creek EMS Department
Michael Watts	Warrensburg EMS Department
Robert Boyle	West Glens Falls EMS Department

Warren County Board of Supervisors

RESOLUTION NO. 133 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, MAGOWAN, BRAYMER, FRASIER 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 expire on April 30, 2021 and Ann Marie Mason, Director of the Warren County Office of Emergency Services, has made recommendations for the appointment of members to commence May 1, 2021 and expire April 30, 2022, now, therefore, be it

RESOLVED, that pursuant to the recommendations of Ann Marie Mason, 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 Ted Backus	Luzerne-Hadley Fire Department
Chief Daren Harvey	Chestertown Fire Department
CFC James Ogden	Fire Coordinator
DFC Ted Little	1 st Deputy Coordinator
Chief Jamie Schrammel	Deputy Coordinator/HAZMAT
DFC Scott Combs	2 nd Deputy Coordinator
DFC Charles Mellon, Jr.	3 rd Deputy Coordinator
Micki Guy	EMS Coordinator
Evan Donegan	DEC/Rangers Liason
Derrick Helms	WCSO Communications Supervisor

Warren County Board of Supervisors

RESOLUTION NO. 134 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, MAGOWAN, BRAYMER, FRASIER AND SHEPLER

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

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

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

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

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

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

Warren County Board of Supervisors

RESOLUTION No. 135 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, MAGOWAN, BRAYMER, FRASIER AND SHEPLER

**AUTHORIZING AGREEMENT WITH LEXIPOL FOR A SUBSCRIPTION FOR
ONLINE POLICE AND CORRECTIONS TRAINING FOR THE
WARREN COUNTY SHERIFF'S OFFICE**

RESOLVED, that Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with Lexipol, 2611 Internet Boulevard, Suite 100, Frisco, Texas 75034, for a subscription for online police and corrections training for the Warren County Sheriff's Office, for an amount not to exceed Eleven Thousand Two Hundred Fifty-Seven Dollars (\$11,257), for a term commencing April 1, 2021 and terminating March 31, 2022, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.3110 444 Sheriff's Law Enforcement, Travel/Education/Conference.

Warren County Board of Supervisors

RESOLUTION NO. 136 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, MAGOWAN, BRAYMER, FRASIER AND SHEPLER

AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROCURE FOOD PRODUCTS FOR THE WARREN COUNTY CORRECTIONAL FACILITY

RESOLVED, that Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with the New York State Department of Corrections and Community Supervision, Evans Drive, Building #50, P.O. Box 4110, Rome, New York 13442, to procure food products for the Warren County Correctional Facility, for an amount not to exceed One Hundred Twenty-Six Thousand One Hundred Fourteen Dollars (\$126,114), for a term commencing June 1, 2021 and terminating May 31, 2026, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.3150 445 Sheriff's Correction Division, Foods.

Warren County Board of Supervisors

RESOLUTION NO. 137 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, HOGAN, DICKINSON, THOMAS, BRUNO, GERAGHTY AND MERLINO

**AMENDING LICENSE AGREEMENT WITH REVOLUTION RAIL COMPANY
FOR USE OF COUNTY OWNED RAILROAD TRACKS, TO INCLUDE
HADLEY AND THURMAN RAIL STATIONS**

WHEREAS, pursuant to Resolution No. 486 of 2020 the Warren County Board of Supervisors authorized the Chair 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, 2021 and terminating December 31, 2021, for an amount of Thirty-Five Thousand Dollars (\$35,000), and

WHEREAS, the Superintendent of Public Works is requesting an amendment agreement to include use of the Hadley and Thurman Rail Stations, for an additional fee of Five Hundred Dollars (\$500) per station, per month, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an amendment agreement with Revolution Rail Company to include use of the Hadley and Thurman Rail Stations, for an additional fee of Five Hundred Dollars (\$500) per station, per month (\$1,000 total per month), for a term commencing upon execution by both parties and terminating December 31, 2021, 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. 486 of 2020 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 138 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, MERLINO, BRAYMER, WILD, HOGAN, BEATY AND STROUGH

AUTHORIZING AGREEMENT WITH LAKE PLACID ADVERTISERS WORKSHOP, INC. TO PROVIDE WEB REDESIGN/WEBSITE HOSTING AND PRODUCTION SERVICES FOR THE TOURISM DEPARTMENT

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with Lake Placid Advertisers Workshop, Inc., 44 Hadjis Way, Lake Placid, New York 12946, to provide web redesign/website hosting and production services, for a term commencing May 1, 2021 and terminating August 31, 2021, in an amount not to exceed Nineteen Thousand Nine Hundred Ninety-Nine Dollars (\$19,999), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.6417.0001 470 Tourism/Occupancy, Tourism, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 139 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS GERAGHTY, MERLINO, BRAYMER, WILD, HOGAN, BEATY AND STROUGH

AMENDING AGREEMENT WITH ADIRONDACK REGIONAL TOURISM COUNCIL, INC. FOR REGIONAL MARKETING SERVICES, TO INCLUDE MOBILE DATA TRACKING

WHEREAS, pursuant to Resolution No. 93 of 2021, the Warren County Board of Supervisors authorized the Chair of the Board of Supervisors to continue the contractual relationship with the Adirondack Regional Tourism Council, Inc. for regional marketing services, in an amount not to exceed Ten Thousand Dollars (\$10,000), for a term commencing January 1, 2021 and terminating December 31, 2021, and

WHEREAS, the Tourism & Occupancy Tax Coordination Committee has approved a request to amend the agreement to include mobile data tracking services, in an amount not to exceed Five Thousand Dollars (\$5,000), for a term commencing January 1, 2021 and terminating December 31, 2021, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an amendment agreement with Adirondack Regional Tourism Council, Inc. to increase the total not to exceed amount to Fifteen Thousand Dollars (\$15,000), in order to include mobile data tracking 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. 93 of 2021 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 140 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND MAGOWAN

AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2021

RESOLVED, that the Tables of Organization and the Warren County Salary and Compensation Plan for 2021 are hereby amended as follows:

DPW - SOLID WASTE

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1628 110</u>		
<u>TITLE:</u> Solid Waste/Recycling Compliance Coordinator	May 1, 2021	\$43,605

PLANNING

<u>Changing Title From:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.8021 130</u>		
<u>TITLE:</u> Associate Planner - 9hrs/week	April 19, 2021	\$30.1587/hr

<u>Changing Title To:</u>	<u>EFFECTIVE DATE</u>	<u>ANNUAL SALARY</u>
<u>A.8021 130</u>		
<u>TITLE:</u> Associate Planner - Per Diem	April 19, 2021	\$30.1587/hr

Warren County Board of Supervisors

RESOLUTION No. 141 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND MAGOWAN

AUTHORIZING INCREASE IN THE HOURLY RATE OF PAY FOR ELECTIONS POLLSITE INSPECTORS TO RESOLVE ISSUES WITH RETENTION AND RECRUITING

RESOLVED, that the Warren County Board of Supervisors hereby authorizes an increase in the hourly rate of pay from Twelve Dollars and Fifty Cents (\$12.50) to Fifteen Dollars (\$15) for Elections Pollsite Inspectors effective June 1, 2021 in an effort to resolve issues with retention and recruiting, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1450 439 Board of Elections, Miscellaneous.

Warren County Board of Supervisors

RESOLUTION No. 142 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND MAGOWAN

ADOPTING CORRECTION DIVISION DIRECTIVE 003 (REQUESTS FOR LEAVE) POLICY FOR THE WARREN COUNTY SHERIFF'S OFFICE

WHEREAS, the Sheriff presented to the Personnel, Administration & Higher Education Committee a Correction Division Directive 003 (Requests for Leave) Policy for the Warren County Sheriff's Office, and

WHEREAS, the Personnel, Administration & Higher Education 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 Correction Division Directive 003 (Requests for Leave) Policy annexed hereto, be and the same hereby is, adopted as the official Policy for the Warren County Sheriff's Office.

CORRECTION DIVISION

	WARREN COUNTY SHERIFF'S OFFICE	
DIRECTIVE 003: REQUESTS FOR LEAVE		EFFECTIVE DATE: 02/05/21
AUTHORITY: SHERIFF JIM LAFARR		PRIOR REVISION: 01/01/20
ACCREDITATION STANDARDS:		REVIEW DATE: 02/05/21

The responsibility for the preparation of agency schedules and processing of leave requests is as follows. All leave requests, except sick leave as outlined in this manual, shall be submitted to these authorized members in the order outlined below:

Correction Sergeant	Correction Officer	CD Kitchen Staff	CD Support Staff
Correction Lieutenant	Designated Sergeant	Designated Sergeant	Correction Lieutenant
Correction Captain	Correction Lieutenant	Correction Lieutenant	Correction Captain
Undersheriff	Correction Captain	Correction Captain	Undersheriff

GENERAL RULES

1. Leave shall be administered in accordance with this directive and pursuant to the provisions outlined in each member's applicable collective bargaining agreement.
2. Absent exigent circumstances, all Regular leave requests shall be submitted using the "WCSO Leave Request Program". Early leave requests shall be submitted on a "Leave Request Form".
3. Leave may only be granted for time that has been accrued by the member, with the exception of a DLO which may be used on the day it is earned.
4. Members submitting leave requests to the "Designated Sergeant", as directed above, must ensure this Sergeant will be on-duty prior to the date of leave. Members should submit leave requests to an available "Correction Lieutenant" when the "Designated Sergeant" will not be on-duty prior to the requested leave date, and therefore will not be available to review their request in a timely manner.
5. The authorized members responsible for preparing schedules may, at their discretion, waive or amplify any restriction or requirement when necessary to ensure adequate staffing and to promote a fair and equitable granting of leave time for all employees. Such decisions may take into consideration, but not be limited to the following:
 - A. Minimum staffing;
 - B. Special events, details, and assignments;
 - C. Training;
 - D. Holidays;
 - E. Seniority, experience, and rank levels of staff;
 - F. Any incident that might justify an increase or decrease in staffing; or
 - G. Any emergency which impacts on agency services.

LEAVE REQUESTS

Early Requests

CORRECTION DIVISION

Members may submit Early leave requests to the appropriate authorizing members above, no later than January 15th, for dates in the current calendar year. All early leave requests will be reviewed after January 15th and granted based upon seniority.

NOTE: Members submitting leave requests for time off between January 1st and January 15th shall submit a Regular Leave Request in accordance with this directive.

Regular Requests

1. Members may submit Regular leave requests after January 15th for dates in the current calendar year. Regular leave requests will be granted based upon the following criteria in the order provided:

- A. Date and Time of Submission
- B. Availability/Staffing Levels
- C. Seniority

2. Regular leave requests should be submitted no later than 48 hours prior to the commencement of the intended leave. This restriction may be waived at the discretion of a member authorized above.

NOTE: Correction Officers requesting leave for the remainder of a current shift, the next oncoming shift and/or the shift immediately following (no more than 16 hours prior to the commencement of the intended leave) shall submit such request to the Tour Supervisor when the Designated Sergeant is unavailable.

LEAVE CATEGORIES

1. Eligible members earn DLO's for shifts worked on County approved holidays. All DLO's must be taken within six (6) months of the date they are earned. DLO's not taken within this time period shall be forfeited with no compensation to the member, unless such leave was not taken at no fault of the member.

2. Vacation leave shall be used in the calendar year earned and may not be carried over from calendar year to the next, unless such leave was earned and not otherwise taken through no fault of the member.

3. Personal leave is utilized for personal business and may be taken in hourly increments. Personal leave is not cumulative and no part shall be carried over from one calendar year to the next, unless such leave was not taken through no fault of the member.

4. Military leave entitles a members serving in the military to be absent from work without loss of pay to fulfill necessary military obligations. Military leave shall be administered in strict accordance with the provisions of the member's collective bargaining agreement

5. Bereavement leave entitles a member to be absent from work without loss of pay by reason of death of an immediate family member. Bereavement leave shall be administered in strict accordance with the provisions of the member's collective bargaining agreement.

6. Paid administrative leave is a temporary administrative action that entitles an employee to be absent from work, without loss of pay, following approval from the Sheriff or Undersheriff. The leave may be due to an employee's physical or physiological fitness for duty, pending disciplinary action, or a circumstance where the health and/or safety of any member or other person is in question or at risk.

7. It shall the member's responsibility to demonstrate that leave was earned and not otherwise taken through no fault of such member. Any request to carry over unused leave from one year to the next must be submitted to the Sheriff for review and approval.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Family and Medical Leave Act of 1993 (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken such leave. Employees are also entitled to return to their same or an equivalent position at the end of the leave.

CORRECTION DIVISION

POLICY

It is the policy of the Warren County Sheriff's Office to grant up to 12 weeks (480 hours) of family and medical leave during any rolling 12-month period to eligible employees, in accordance with the Family and Medical Leave Act (FMLA), and/or up to 26 weeks of leave in any rolling 12-month period in compliance with the expansion of FMLA under The Support for Injured Servicemembers Act of 2007. The FMLA leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this directive.

The Code of Federal Regulations, 29 CFR Part 825, The Family and Medical Leave Act of 1993 shall serve as the Sheriff's Office compliance guide for eligibility, entitlements and definitions relating to FMLA.

ELIGIBILITY

In order to take leave under the FMLA, an employee must:

1. Have worked for the Warren County Sheriff's Office for 12 months or 52 weeks, and the 12 months or 52 weeks are not required to be consecutive; and
2. Have worked at least 1,250 hours during the 12 months prior to the start of leave, and the 1,250 hours includes only those hours actually worked, not time spent on paid or unpaid leave.

QUALIFYING CONDITIONS

Leave under the FMLA shall be granted for one or more of the following reasons:

1. Birth of a child and to care for/bond with the newborn child;
2. Placement of a child for adoption or foster care and to care for/bond with the newly placed child;
3. Care for spouse, child, or parent (not "parent in-law") with a serious health condition;
4. Serious health condition of the employee;
5. A qualifying military exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty status as a member of the National Guard, Reserves, or Active Armed Forces; and/or
6. To care for an injured or ill Servicemember.

CALCULATION OF LEAVE

Eligible employees can take up to 12 weeks (26 weeks to care for injured or ill Servicemembers) during a 12 month period under the FMLA. The leave may be in consecutive weeks or intermittently, but it may not exceed 12 weeks (26 weeks to care for injured or ill Servicemembers) over a rolling 12-month period. The 12-month period shall be measured starting from the date an employee first uses FMLA leave in accordance with this directive.

FMLA LEAVE PROCEDURES

1. Employees wishing to use FMLA leave must submit a completed Warren County Sheriff's Office Family and Medical Leave Request Form (A-14) to the Sheriff.
2. Employees requesting FMLA leave due to a serious health condition, or to care for an immediate family member with a serious health condition, must submit the appropriate U.S. Department of Labor Certification form. This form should be completed by a physician and returned to the Sheriff within 15 calendar days. U.S. Department of Labor FMLA forms are available in Administration.
3. Periodic reports and additional physician certifications may also be required during leave relating to serious health conditions. The Sheriff's Office may, at its own expense, require a second (or third) opinion regarding a medical certification. Employees failing to provide timely certification may risk having leave benefits delayed or denied.
4. Employees requesting FMLA leave for reasons other than a serious health condition, or to care for an immediate family member with a serious health condition, must submit the appropriate U.S. Department of Labor Certification form. U.S. Department of Labor FMLA forms are available in Administration.

CORRECTION DIVISION

5. Employees must use all accrued leave prior to the approval of unpaid FMLA leave for requests due to the employee's own serious health condition. When paid leave is used for an approved FMLA covered reason, the leave is FMLA protected.
6. Employees must use all accrued vacation leave, personal leave, holiday leave, and benefit day leave prior to the approval of unpaid FMLA leave for requests due to a reason, other than, the employee's own serious health condition. When paid leave is used for an approved FMLA covered reason, the leave is FMLA protected.
7. Employees do not automatically receive FMLA leave during a leave of absence from employment. FMLA leave must be requested in writing in accordance with this directive.
8. Employees will receive notification from the Sheriff within five business days of receiving completed certifications. The notification will specify whether the FMLA leave was approved, or reason for denial, as applicable.
9. Employees may be subject to disciplinary sanctions, up to and including termination, if the employee knowingly provides false information to receive, or continue, benefits under FMLA.

EMPLOYEE STATUS AND BENEFITS

1. The County will continue an employee's health benefits during the period of FMLA leave, at the same level and under the same conditions, as if the employee had continued to work, provided the employee continues to pay his or her portion of the health care premiums.
2. While on paid leave (i.e. using sick leave in conjunction with FMLA leave), the County will continue to complete payroll deductions to collect the employee's share of health insurance premiums. While on unpaid FMLA leave, the employee must make payments for their portion of health insurance premiums to the Warren County Treasurer. The payments must be received by the 15th day of each month. Health insurance coverage will be terminated if these payments are not received by the 30th of each month.

NOTE: The County's Benefit Broker will provide 15 days' notice prior to the employee's loss of coverage.

3. The County will require the employee reimburse the amount the County paid for the employee's health insurance premiums during the period of unpaid leave if the employee chooses not to return to work for reasons other than; a continued serious health condition of the employee, continued care of an immediate family member with a serious health condition, or a circumstance beyond the employee's control.

RETURNING TO WORK

1. Employment restoration is guaranteed for up to 12 weeks of approved FMLA leave, except under certain circumstances as provided by law.
2. Employees returning to work following FMLA leave will return to their original position, on the same shift/work schedule, retaining salary, benefits, and all other terms of employment.
3. Employees returning to work following FMLA leave relating to their own serious health condition must submit documentation from a physician affirming their ability to perform all essential functions for their position and adequate fitness for duty.
4. Proceedings under New York State Civil Service Law Sections 71 or 73 may be initiated if an employee fails to return to work following the expiration of FMLA leave.

Warren County Board of Supervisors

RESOLUTION NO. 143 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL, CONOVER AND MAGOWAN

**ADOPTING PUBLIC SAFETY DIVISION DIRECTIVE 006 (SCHEDULES & LEAVE)
POLICY FOR THE WARREN COUNTY SHERIFF'S OFFICE**

WHEREAS, the Sheriff presented to the Personnel, Administration & Higher Education Committee a Public Safety Division Directive 006 (Schedules & Leave) Policy for the Warren County Sheriff's Office, and

WHEREAS, the Personnel, Administration & Higher Education 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 Public Safety Division Directive 006 (Schedules & Leave) Policy annexed hereto, be and the same hereby is, adopted as the official Policy for the Warren County Sheriff's Office.

PUBLIC SAFETY DIVISION



WARREN COUNTY SHERIFF'S OFFICE



DIRECTIVE 006: SCHEDULES & LEAVE

EFFECTIVE DATE: 02/05/21

AUTHORITY: SHERIFF JIM LAFARR

PRIOR REVISION: 01/01/20

ACCREDITATION STANDARDS:

REVIEW DATE: 02/05/21

The responsibility for the preparation of agency schedules and processing of leave requests is as follows. All leave requests, except sick leave as outlined in this manual, shall be submitted to the authorized members in the order outlined below:

Patrol	Investigations	Communications	Civil	Support Staff
Designated Sergeant	Investigative Sergeant	Communications Supervisor	Civil Sergeant	Lieutenant
Lieutenant	Lieutenant	Sr. Communication Officer	Undersheriff	Undersheriff
Undersheriff/ Sheriff	Undersheriff/ Sheriff	Lieutenant	Lieutenant	Sheriff

GENERAL INFORMATION (SCHEDULES)

1. For the purposes of this directive, shifts shall be defined as A and B for Patrol and A, B, Modified B, and C for Communications. Available Communications shifts are outlined below.
2. Patrol and Communications members will work permanent shifts and Patrol will have fixed pass days.
3. Shifts will be bid by seniority.
4. Current schedules will be available electronically to all members. New schedules will be released and available for viewing no less than seven (7) days prior to the first date on such schedule.
5. The Administration Office may waive or amplify the provisions of this directive as needed to ensure adequate shift coverage at all levels.

BIDDING FOR SHIFTS

1. Each group (Patrol & Communications) will bid for available shifts, as provided in this directive, on an annual basis.
2. Bids will be made between November 1st and November 30th each calendar year.
3. This directive sets available shifts, as described above, and any changes from the previous year will be provided by means of an updated directive.
4. The bid process will be administered by the member holding the responsibility for the preparation of work schedules, as outlined in this directive.
5. Shift assignments will be determined each year by Administration following the bidding process.

PUBLIC SAFETY DIVISION

6. In the event a vacancy occurs on any shift, the slot shall remain open until such time as a new member is hired and trained to fill the vacancy. Newly hired members will initially work a training schedule and then shall fill the existing vacancy until the next bidding period.
7. In those cases where staffing mandates a change in assignments prior to the next bidding period, the policy of following seniority to fill positions will be used to the extent possible under the scheduling situation at the time.
8. No changes will be made to the designated shift slots, Patrol or Communications, during the calendar year. Changes, if any, will be announced prior to the bidding process for the following year.

GENERAL INFORMATION (LEAVE)

1. Leave shall be administered in accordance with this directive and pursuant to the provisions outlined in each member's applicable collective bargaining agreement.
2. Absent exigent circumstances, all Regular leave requests shall be submitted using the "WCSO Leave Request Program". Early leave requests shall be submitted on a "Leave Request Form".
3. Leave may only be granted for time that has been accrued by the member, with the exception of a DLO which may be taken on the day it is earned.
4. Members submitting leave requests to the "Designated Sergeant", as directed above, must ensure this Sergeant will be on-duty prior to the date of leave. Members should submit leave requests to an available "Patrol Sergeant" when the "Designated Sergeant" will not be on-duty prior to the requested leave date, and therefore will not be available to review their request in a timely manner.
5. The authorized members responsible for preparing schedules may, at their discretion, waive or amplify any restriction or requirement when necessary to ensure adequate staffing and to promote a fair and equitable granting of leave time for all members. Such decisions may take into consideration, but not be limited to the following:
 - A. Minimum staffing;
 - B. Special events, details, and assignments;
 - C. Training;
 - D. Holidays;
 - E. Seniority, experience, and rank levels of staff;
 - F. Any incident that might justify an increase or decrease in staffing; or
 - G. Any emergency which impacts on agency services.

LEAVE REQUESTS

Early Requests

Members may submit Early leave requests to the appropriate authorizing members above, no later than January 15th, for dates in the current calendar year. All early leave requests will be reviewed after January 15th and granted based upon seniority.

NOTE: Members submitting leave requests for time off between January 1st and January 15th shall submit a Regular Leave Request in accordance with this directive.

Regular Requests

1. Members may submit Regular leave requests after January 15th for dates in the current calendar year. Regular leave requests will be granted based upon the following criteria in the order provided:

PUBLIC SAFETY DIVISION

- A. Date and Time of Submission
- B. Availability/Staffing Levels
- C. Seniority

LEAVE CATEGORIES

1. Non-Patrol members earn DLO's for shifts worked on County approved holidays. All DLO's must be taken within six (6) months of the date they are earned. DLO's not taken within this time period shall be forfeited with no compensation to the member, unless such leave was not taken at no fault of the member.
2. Patrol members earn two (2) Benefit Days quarterly. Benefit days are available for use during the quarter earned, and not later than six months following the commencement such quarter, or the end of the calendar year in which earned, whichever occurs first. Benefit Days earned and not otherwise taken through no fault of the member shall be paid to the member at the end of the quarter they were earned.
3. Vacation leave shall be used in the calendar year earned and may not be carried over from calendar year to the next, unless such leave was earned and not otherwise taken through no fault of the member.
4. Personal leave is utilized for personal business and may be taken in hourly increments. Personal leave is not cumulative and no part shall be carried over from one calendar year to the next, unless such leave was not taken through no fault of the member.
5. Military leave entitles a members serving in the military to be absent from work without loss of pay to fulfill necessary military obligations. Military leave shall be administered in strict accordance with the provisions of the member's collective bargaining agreement
6. Bereavement leave entitles a member to be absent from work without loss of pay by reason of death of an immediate family member. Bereavement leave shall be administered in strict accordance with the provisions of the member's collective bargaining agreement.
7. Paid administrative leave is a temporary administrative action that entitles an employee to be absent from work, without loss of pay, following approval from the Sheriff or Undersheriff. The leave may be due to an employee's physical or physiological fitness for duty, pending disciplinary action, or a circumstance where the health and/or safety of any member or other person is in question or at risk.
8. It shall the member's responsibility to demonstrate that leave was earned and not otherwise taken through no fault of such member. Any request to carry over unused leave from one year to the next must be submitted to the Sheriff for review and approval.

REPORTING FOR DUTY (COMMUNICATIONS)

1. All Communication Officers are to be ready for work 15 minutes prior to the start of their respective shifts. This includes being fully dressed, equipped and prepared to work. This time will be used by members coming on and going off shift to exchange information effecting operations from the preceding shift. Members being relieved must remain on duty until completion of their shift.
2. Time sheets should be marked as follows:

<u>Shift</u>	<u>Time Sheet Entry</u>
A Line	22:45 - 07:00
B Line	06:45 - 15:00
C Line	14:45 - 23:00

PUBLIC SAFETY DIVISION

AVAILABLE SHIFTS (COMMUNICATIONS)

Shifts are available as follows:

Slot #	Shift	Slot #	Shift
1	Sr. Comm Officer	14	Sr. Comm Officer
2	A - 2	15	C - 2
3	A - 3	16	C - 3
4	A - 4	17	C - 4
5	A - 5	18	C - 5
6	A - 6	19	C - 6
7	Sr. Comm Officer	20	C - 7
8	B - 2	21	C - 8
9	B - 3		
10	B - 4		
11	B - 5		
12	B - 6		
13	B - 7		

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Family and Medical Leave Act of 1993 (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken such leave. Employees are also entitled to return to their same or an equivalent position at the end of the leave.

POLICY

It is the policy of the Warren County Sheriff's Office to grant up to 12 weeks (480 hours) of family and medical leave during any rolling 12-month period to eligible employees, in accordance with the Family and Medical Leave Act (FMLA), and/or up to 26 weeks of leave in any rolling 12-month period in compliance with the expansion of FMLA under The Support for Injured Servicemembers Act of 2007. The FMLA leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this directive.

The Code of Federal Regulations, 29 CFR Part 825, The Family and Medical Leave Act of 1993 shall serve as the Sheriff's Office compliance guide for eligibility, entitlements and definitions relating to FMLA.

ELIGIBILITY

In order to take leave under the FMLA, an employee must:

1. Have worked for the Warren County Sheriff's Office for 12 months or 52 weeks, and the 12 months or 52 weeks are not required to be consecutive; and
2. Have worked at least 1,250 hours during the 12 months prior to the start of leave, and the 1,250 hours includes only those hours actually worked, not time spent on paid or unpaid leave.

QUALIFYING CONDITIONS

Leave under the FMLA shall be granted for one or more of the following reasons:

1. Birth of a child and to care for/bond with the newborn child;
2. Placement of a child for adoption or foster care and to care for/bond with the newly placed child;

PUBLIC SAFETY DIVISION

3. Care for spouse, child, or parent (not "parent in-law") with a serious health condition;
4. Serious health condition of the employee;
5. A qualifying military exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty status as a member of the National Guard, Reserves, or Active Armed Forces; and/or
6. To care for an injured or ill Servicemember.

CALCULATION OF LEAVE

Eligible employees can take up to 12 weeks (26 weeks to care for injured or ill Servicemembers) during a 12 month period under the FMLA. The leave may be in consecutive weeks or intermittently, but it may not exceed 12 weeks (26 weeks to care for injured or ill Servicemembers) over a rolling 12-month period. The 12-month period shall be measured starting from the date an employee first uses FMLA leave in accordance with this directive.

FMLA LEAVE PROCEDURES

1. Employees wishing to use FMLA leave must submit a completed Warren County Sheriff's Office Family and Medical Leave Request Form (A-14) to the Sheriff.
2. Employees requesting FMLA leave due to a serious health condition, or to care for an immediate family member with a serious health condition, must submit the appropriate U.S. Department of Labor Certification form. This form should be completed by a physician and returned to the Sheriff within 15 calendar days. U.S. Department of Labor FMLA forms are available in Administration.
3. Periodic reports and additional physician certifications may also be required during leave relating to serious health conditions. The Sheriff's Office may, at its own expense, require a second (or third) opinion regarding a medical certification. Employees failing to provide timely certification may risk having leave benefits delayed or denied.
4. Employees requesting FMLA leave for reasons other than a serious health condition, or to care for an immediate family member with a serious health condition, must submit the appropriate U.S. Department of Labor Certification form. U.S. Department of Labor FMLA forms are available in Administration.
5. Employees must use all accrued leave prior to the approval of unpaid FMLA leave for requests due to the employee's own serious health condition. When paid leave is used for an approved FMLA covered reason, the leave is FMLA protected.
6. Employees must use all accrued vacation leave, personal leave, holiday leave, and benefit day leave prior to the approval of unpaid FMLA leave for requests due to a reason, other than, the employee's own serious health condition. When paid leave is used for an approved FMLA covered reason, the leave is FMLA protected.
7. Employees do not automatically receive FMLA leave during a leave of absence from employment. FMLA leave must be requested in writing in accordance with this directive.
8. Employees will receive notification from the Sheriff within five business days of receiving completed certifications. The notification will specify whether the FMLA leave was approved, or reason for denial, as applicable.
9. Employees may be subject to disciplinary sanctions, up to and including termination, if the employee knowingly provides false information to receive, or continue, benefits under FMLA.

EMPLOYEE STATUS AND BENEFITS

1. The County will continue an employee's health benefits during the period of FMLA leave, at the same

PUBLIC SAFETY DIVISION

level and under the same conditions, as if the employee had continued to work, provided the employee continues to pay his or her portion of the health care premiums.

2. While on paid leave (i.e. using sick leave in conjunction with FMLA leave), the County will continue to complete payroll deductions to collect the employee's share of health insurance premiums. While on unpaid FMLA leave, the employee must make payments for their portion of health insurance premiums to the Warren County Treasurer. The payments must be received by the 15th day of each month. Health insurance coverage will be terminated if these payments are not received by the 30th of each month.

NOTE: The County's Benefit Broker will provide 15 days' notice prior to the employee's loss of coverage.

3. The County will require the employee reimburse the amount the County paid for the employee's health insurance premiums during the period of unpaid leave if the employee chooses not to return to work for reasons other than; a continued serious health condition of the employee, continued care of an immediate family member with a serious health condition, or a circumstance beyond the employee's control.

RETURNING TO WORK

1. Employment restoration is guaranteed for up to 12 weeks of approved FMLA leave, except under certain circumstances as provided by law.

2. Employees returning to work following FMLA leave will return to their original position, on the same shift/work schedule, retaining salary, benefits, and all other terms of employment.

3. Employees returning to work following FMLA leave relating to their own serious health condition must submit documentation from a physician affirming their ability to perform all essential functions for their position and adequate fitness for duty.

4. Proceedings under New York State Civil Service Law Sections 71 or 73 may be initiated if an employee fails to return to work following the expiration of FMLA leave.



WARREN COUNTY SHERIFF'S OFFICE

1400 STATE ROUTE 9
LAKE GEORGE, NY 12845
(518) 743-2500



FAMILY AND MEDICAL LEAVE REQUEST FORM

I, _____, an employee of the Warren County Sheriff's Office, am requesting a leave pursuant to the provisions outlined in the Family and Medical Leave Act.

I am requesting leave for:

- 1. The birth of a child or to care for/bond with a newborn.
- 2. Placement of a child for adoption/foster care or to care for/bond with a newly placed child.
- 3. Care for family member with a serious health condition. [circle one: spouse - child - parent]
- 4. My inability work due to a serious health condition.
- 5. A qualifying military exigency.
- 6. The care of an injured or ill Servicemember.

If box 3 or 4 is checked, a U.S. Department of Labor certification form must be completed by a physician.

Leave Start Date: _____

Anticipated Return Date: _____

Employee Signature: _____
Signature Date

Sheriff Signature: _____
Signature Date

Director of Human Resources: _____
Signature Date

- Please note a 426 must accompany this request -

Warren County Board of Supervisors

RESOLUTION NO. 144 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

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>
AIRPORT			
H306	Land/Avigation Easement-Forest Ent	\$58,000	A.9950 910 (Transfers - Capital Projects, Interfund Transfers)
H306	Land/Avigation Easement-Forest Ent	\$969	A.892.00 (Reserve, Airport Repair & Projects)
H325	Avigation Easement - Runway 30	\$13,022	A.9950 910 (Transfers-Capital Projects, Interfund Transfers)
H339	Land/Easement Acq Runway 12&19	\$833	A.9950 910 (Transfers-Capital Projects, Interfund Transfers)
H362	Airport-Natural Gas Conversion	\$4,431	A.9950 910 (Transfers - Capital Projects, Interfund Transfers)
H364	Runway 30 Obstruction Removal	\$2,634	A.9950 910 (Transfers - Capital Projects, Interfund Transfers)
BUILDINGS			
H355	Municipal Center Security Renovation	\$7,271	A.9950 910 (Transfers-Capital Projects, Interfund Transfers)
H370	Municipal Center Employee Parking	\$6,258	A.9950 910 (Transfers-Capital Projects, Interfund Transfers)
DPW			
H329	Warren Co. Bikeway Improvements	\$0.00	N/A
H343	West Brook Road Sidewalk	\$7	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)

RESOLUTION No. 144 OF 2021

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DPW, con't

H351	CR44 Over Hudson River Bridge Paint	\$3	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)
H365	Bay Road (CR7) Pavement Preservation	\$11	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)
H366	West Mountain Rd (CR58) Pavement	\$2	D.9950 910 (County Road, Transfers-Capital Projects, Interfund Transfers)
H374	Warrensburg Fuel Farm	\$7,090	DM.9950 910 (Road Machinery, Transfers-Capital Projects, Interfund Transfers)

Warren County Board of Supervisors

RESOLUTION NO. 145 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

AUTHORIZING THE ANNUAL APPROPRIATION OF FUNDS FROM THE ELECTION EQUIPMENT RESERVE TO THE BOARD OF ELECTIONS BUDGET TO FUND THE LEASE OF DOMINION VOTING MACHINES; AND AMENDING WARREN COUNTY BUDGET FOR 2021

RESOLVED, that the Warren County Board of Supervisors hereby approves the annual appropriation of funds for the lease of Dominion Voting Machines, in an amount not to exceed Forty-Three Thousand Seven Hundred Eighteen Dollars (\$43,718) per year, from the Reserve, Election Equipment (A.898.00) to Budget Code A.1450 421 Board of Elections, Equipment Rental, and be it further

RESOLVED, that the County Treasurer is hereby authorized to appropriate Forty-Three Thousand Seven Hundred Eighteen Dollars (\$43,718) from the Reserve, Election Equipment (A.898.00) to Budget Code A.1450 421, Board of Elections, Equipment Rental, each year over the term commencing May 1, 2022 and terminating April 30, 2028, and be it further

RESOLVED, that the Warren County Budget for 2021 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 146 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

ADOPTING AMENDED WARREN COUNTY TRAVEL, EDUCATION AND VEHICLE USE POLICY

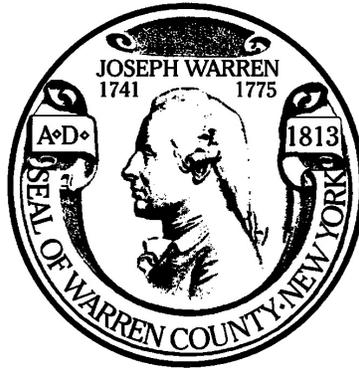
WHEREAS, the Warren County Board of Supervisors adopted an updated Warren County Travel Policy and County Vehicle Use Regulations (hereinafter the “Travel Policy”) by Resolution No. 495 of 2004, which has been updated by many subsequent resolutions, most recently by Resolution No. 49 of 2021, and

WHEREAS, the County Administrator presented to the Finance Committee a revised Travel Policy, and

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

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

RESOLVED, that any and all prior Travel Policies or County Vehicle Use Regulations, Resolutions or parts thereof inconsistent with the annexed are hereby repealed effective April 16, 2021.



**WARREN COUNTY TRAVEL, EDUCATION
AND VEHICLE USE POLICY**

I. COUNTY TRAVEL & EDUCATION POLICY

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

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

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

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

B. TRAVEL APPROVAL REQUIRED

- 1) Unless travel is excepted herein, or by separate Resolution by the Board, *all* travel requests, whether in-state, out-of-state or virtual, are subject to approval in accordance with the Travel Form (Schedule "A"). Department Heads shall submit all paperwork describing travel and expenses for review and approval by those listed on the Travel Form (Schedule "A") and must be attached to any Purchase Order or Voucher submitted for reimbursement.
- 2) Travel by County Supervisors, County Administrator, Assistant County Administrator and Department Heads to attend the New York State Association of Counties' conferences held twice per year do NOT need approval, provided that the Department has budget appropriations for the same and there is compliance with the GSA policy.
- 3) All travel authorizations must be reported to the proper oversight Committee at their next meeting as an informational item.

C. FUNDING FOR TRAVEL

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

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

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

E. EXCEPTIONS

- 1) The Sheriff's Office shall be excepted from the Policy and guidelines concerning mass transportation and travel approval requirements, where the travel is not related to training or conferences, and which have been approved by the Sheriff or Division Commander.
- 2) The Commissioners of the Warren County Board of Elections, staff and machine custodians shall, to the extent authorized by the County Administrator, be excepted from the requirement of use of a County vehicle or a rental vehicle and may use personal vehicles with mileage reimbursement by the County in the performance of their official duties in Warren County concerning the Election Day period (that time period of a few weeks during which matters are readied and concluded for an election), classes in the various municipalities, trips to nursing homes, and voter education sessions. The Office of Emergency Services Director, Fire Coordinator, Emergency Services Coordinator, and Deputy Fire and EMS Coordinators, to the extent authorized by the County Administrator, shall be excepted from the requirement of use of a County vehicle or rental vehicle and may use personal vehicles with mileage reimbursement by the County while in the performance of their official duties, in Warren County and adjacent counties. The officers and/or employees identified in this division (E)(2) shall, however, when attending conferences or meetings outside the County or in adjacent counties, seek to use mass transit or a County vehicle, as may be applicable.
- 3) The employees of the Department of Social Services shall be excepted from the requirement of use of County vehicles and/or rental vehicles and may use personal vehicles with mileage reimbursement to be paid by the County, subject to the approval of the Commissioner of Social Services while continuing to use fleet vehicles as much as possible given the operation of that particular Department.
- 4) Section D above shall not apply to limit the maximum reimbursement rate where the lodging and/or meals are provided as a facility that is the host of an approved conference, training or meeting or is chosen because of its location proximate to the event and where the reimbursement is less than \$100 above the maximum daily GSA rate and where the employee or officer receives approval for the increased reimbursement above GSA rate as detailed on his or her "Authorization to Attend Meeting or Convention" request form.
- 5) The County Treasurer & County Clerk or their designee shall be excepted from the requirement of use of County vehicles and may use personal vehicles when performing departmental banking functions.
- 6) The Peer-to-Peer Program Coordinator in the Veterans' Services Department shall be exempt from the requirement to use County vehicles and may use personal vehicles with mileage reimbursement to be paid by the County when performing functions for the Peer-to-Peer Program.

II. COUNTY MOTOR VEHICLE USE RULES

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

- A. Only authorized employees who hold a valid New York State driver's license shall drive County vehicles. Authorized employees shall be:
- 1) 18 years and older;

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- 2) Any employee who regularly or at times operates a County vehicle as part of the employee's usual and/or customary County job function;
- 3) An employee who is authorized to operate the vehicle by:
 - a) The County Administrator; or
 - b) The County Department Head to whom the vehicle has been assigned;
- 4) Those who agree to provide their driver license number to the County for inclusion in the NYS Department of Motor Vehicle License Event Notification Service (*The LENS program provides the County with notifications of driver license infractions and suspensions*);
- 5) Those who agree to the fact that the County has a right to request information relating to a change in driver license status of all authorized users described above;
- 6) Those who have signed the acknowledgment (Schedule B) at the end of this Policy;
- 7) Those who maintain a valid NYS drivers license, excluding conditional or restricted licenses
 - a) Any suspension or revocation of ones driver's license will result in immediate loss of the employee's status as an authorized County driver. Status as an authorized driver will be automatically reinstated upon restoration of unconditional license;
- 8) Those who have been involved in an at fault incident(s) with a County vehicle where no convictions were issued *but* the incident(s) resulted in damage in excess of \$2,500 from a single incident or multiple incidents within a 12 month period will no longer be considered authorized drivers and must be reviewed by the Risk Management Steering Committee who will provide a recommendation to the Department Head. The Department Head will then determine the employee's status as an authorized driver of County vehicles or their own vehicle on County business. Employees may appeal a Department Heads determination to the Personnel & Higher Education Committee of the Board of Supervisors; and
- 9) Those with Commercial Motor Vehicle Licenses, if using the license in the scope of their duties, who have successfully passed a DOT physical exam and provided a current medical examination certificate to the County. The medical certification exam will be at the expense of the County at a medical provider contracted by the County for the purpose of DOT physical examinations. Conflicts of medical opinion will be resolved based on 49CFR 391.47.

B. Volunteers, clients, members of employees' families, etc. are not authorized to operate County owned vehicles, except volunteer County employees and unpaid interns who hold a valid New York State driver's license shall be authorized to operate County owned vehicles for:

- 1) Veteran's Services for such purposes as may be authorized by Executive Law Section 358 of Veteran's Affairs;
- 2) for persons participating in Countryside Adult Home programs whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity; and
- 3) unpaid interns working at the Department of Social Services.

C. 1) County vehicles shall be utilized for official purposes only. Persons on official business for the County or being transported for purposes of furthering County business, an official departmental function or a County agency sponsored or operated program may ride in County vehicles. In addition, officials or employees from governmental entities other than Warren County, such as from the federal, state or local governments (e.g.; other counties, towns, cities, villages, school districts, etc.) or a non-profit organization provided such non-profit organization is engaged in activity involving or related to County activities including but not limited to promoting the County may ride in County vehicles when accompanying County officials to a meeting, event, destination, or similar place, and such will be considered using the vehicle for official purposes or in furtherance of County business, since it fosters communication, shared governmental services and supports intergovernmental relationships and furthers the interests of the County. Picking up hitchhikers is

prohibited. Examples of circumstances where non-County personnel may ride in County vehicles include but are not limited to:

- a) Health Services Department Staff taking students from contracted educational settings as passengers in County vehicles for clinical experience;
- b) Veterans who ride in the Veterans' Services' van pursuant to program identified in subparagraph II(B) hereof;
- c) Persons riding in Veterans' Services' vans pursuant to arrangements made with the Department of Social Services;
- d) Residents of Countryside Adult Home transported by County vehicle for any event or purpose whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity for the general benefit of Countryside Adult Home residents;
- e) Office for the Aging may transport advisory council members and/or senior citizens to meetings, conferences, etc. at the discretion of the Director;
- f) District Attorney personnel transporting witnesses;
- g) Department employees who wish to carpool with other County Officials not from Warren County when the purpose is furthering County business;
- h) Youth being transported to various programs and seminars by the Department of Social Services;
- i) Children or clients being transported in County vehicles by DSS staff; and
- j) Officials or employees from governmental entities other than Warren County, such as from federal, state or local governmental entities or non-profit organizations engaged in activities involving or relating to County activities; and
- k) Veterans employees may transport persons pursuant to the Peer to Peer Program.

2) Unauthorized personnel may not be transported. Uses not specifically described but consistent with the intent of this policy may be allowed by the Chair of the Board of Supervisors whose determination of whether the use is consistent and/or allowed within this policy shall be final and binding.

- D. 1) Authorization is hereby granted for the following individuals to take County vehicles home on a daily basis due to the nature of their responsibilities:
- a) Department of Public Works:
 - 1) Highway Construction Supervisors II
 - 2) Superintendent of Public Works
 - 3) Highway Manager
 - b) Health Services: Nurses upon approval of the Director of Public Health/Patient Services
 - c) Sheriff's Office:
 - 1) Sheriff
 - 2) Undersheriff
 - 3) Lieutenant - Criminal Investigators
 - 4) Lieutenant - Law Enforcement
 - 5) K-9 Officers (2)
 - 6) Narcotics Officers (5)
 - 7) Civil Officers (2)
 - 8) Investigators
 - d) Fire Prevention & Building Code Enforcement:
 - 1) Building Inspectors (2)

- e) Office of Emergency Services
 - 1) Fire Coordinator
 - 2) Whenever authorization has been provided to take County vehicles home, Department Heads or their designees must, on a quarterly basis, file with the Warren County Treasurer a report which details use of County vehicles by name of the employee, employee number and days the vehicle was used for the quarter reported.
- E. If authorization to take a County vehicle home is not provided in this Policy, the individual seeking to take a County vehicle to private residence overnight must receive the approval of the Department Head and the County Administrator. In the event that a Department Head desires to take a County vehicle to a private residence overnight, approval must be obtained from the County Administrator. Authorization to take vehicles home overnight pursuant to this paragraph shall be subject to the following requirements:
 - 1) A detailed log or record shall be kept by the department setting forth the date(s) vehicles were authorized to be taken home under this Division (E), the name of the employee, the vehicle make or model and the reason or purpose. Such list shall also include employee's position, title and vehicle number.
 - 2) The log or record kept pursuant to Division (E)(1) hereof shall be furnished quarterly to the County Fleet Manager commencing April 1, 2005.
 - 3) If authorized, County vehicles shall be driven only to and from the place of residence to the work site. No subsidiary trips (e.g. grocery store) shall be allowed.
 - 4) An exemption is made for the Warren County Sheriff and Warren County Office of Emergency Services Director to authorize vehicles to be taken home on an as-needed basis for training and other matters, without requiring the approval of the County Administrator.
- F. All vehicles which are not authorized to be taken home under this policy shall be housed or stored at the site where the County Department or Division with jurisdiction over the vehicle has an office where officers or employees typically report to work. For example, Department of Public Works' vehicles would be expected to be housed or stored at the Department of Public Works building in Warrensburg. Vehicles used to support Airport or Parks, Recreation & Railroad Division site personnel would be expected to be housed or stored, respectively, at the Airport or Parks, Recreation & Railroad Division site. Exceptions to the requirements of this Division (F) shall be as follows:
 - 1) The District Attorney vehicle assigned to the investigators shall be housed at the Warren County Municipal Center;
 - 2) Sheriff's vehicles may be housed or stored at the Municipal Center or substations as designated by the Sheriff;
 - 3) Five vehicles assigned to the Health Services Department for use by the nurses in northern part of the County shall be housed as follows: one in Stony Creek, one in North Creek, and three in Chester;
 - 4) One vehicle assigned to the Planning & Community Development Department for use by the Construction Cost Coordinator shall be housed in the area with the largest amount of Planning Activity for use on an as-needed basis; and
 - 5) The Superintendent of Buildings vehicle to be housed in Warrensburg at the DPW shop.
- G. All County owned or leased vehicles must be properly marked with the official, non-removable, Joseph E. Warren insignia, except for those used in police work, the Office of Emergency Services the Social Services Department and the Health Services Department.
- H. No County vehicles shall be used for private or personal use. If an employee is in the field during a normal lunch break, they are to notify their supervisors that they are taking their lunch break and where they will be with the County vehicle.

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- I. In addition to the log that must be kept on overnight usage, (*see Division (E)(1)*), the Department Head may require daily logs listing destinations, mileage and times must be maintained for all County vehicles covered by this Policy.
- J. Department Heads are hereby authorized to recommend more restrictive or detailed rules concerning the use of County vehicles assigned to their department but must appear before the Budget Committee to gain approval of the rules which change these rules/regulations. If approved, the Budget Committee may authorize immediate implementation of the requested department rule change but such shall still be then referred to the Board of Supervisors for modification of this policy. If the Board does not approve the rule change, the Budget Committee's immediate authorization of the requested department rule change shall be deemed revoked.
- K. All vehicles that are assigned to specific employees or groups of employees must be returned to the fleet for use by other County employees when an employee is on vacation or not otherwise using the same.
- L. If violations of the rules set forth above are proven, an employee's rights to operate a County owned vehicle may be revoked by the Budget Committee.
- M. Employees are expected to take all steps necessary to avoid endangering themselves and others while operating vehicles on County business. To ensure this, employees authorized to operate County vehicles are expected to:
 - 1) Check that all vehicle occupants wear safety belts when the vehicle is in operation; and
 - 2) Not operate a vehicle that the driver suspects does not operate properly. The driver shall return and/or park the vehicle as may be appropriate and contact his or her Supervisor to make appropriate arrangements so that the vehicle can be towed or operated safely. If the Supervisor is not available, the employee shall contact the Warren County DPW maintenance department at 518-623-4142 or 518-761-6556.
- N. Drivers of County vehicles are also responsible for:
 - 1) Checking that the vehicle is clean - no trash, good overall appearance;
 - 2) Checking that any tools, equipment or other items do not interfere with the driver's ability to operate the vehicle or pose threats in situations where the driver suddenly stops or swerves the vehicle or otherwise cause items in the vehicle to move around;
 - 3) Ensuring that the vehicle has current copy of the vehicle registration and the insurance card are in the vehicle and all required inspection stickers are up to date;
 - 4) Checking that both license plates are properly attached and visible at all times;
 - 5) Conducting daily visual inspection for obvious problems (flat tire, damage, leaks) before the start of the workday and during the workday when approaching the vehicle. An unsafe vehicle should not be operated until repairs are made;
 - 6) Any additional pre or post trip inspection as directed by the Department Head; and
 - 7) Reporting any concerns regarding the County vehicle by using the form (Schedule B) at the end of this Policy.
- O. Drivers of County vehicles must follow respective laws governing motor vehicle operations including those regarding the use of cellular telephones. Drivers must refrain from any activity that may impede the driver's ability to focus on safely operating the vehicle while it is in motion. Drivers are personally responsible for any traffic citations; including EZ-Pass violations that may be issued as a result of operating a vehicle for County business.

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- P. Drivers of County vehicles or other vehicles for County business must be free of alcohol and illegal drugs. This also includes prescription and non-prescription drugs that may impair a driver's judgement and other faculties.
- Q. Drivers must report all accidents and incidents while using a County vehicle to his or her immediate Supervisor. The driver's immediate Supervisor must report the accident or incident according to the County's Safety and Health Program Policy.

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

- 1) Stop and investigate immediately;
 - 2) Set out warning devices if such are available and warranted under the circumstances;
 - 3) Notify the police (*call 911*) and immediate Supervisor;
 - 4) The driver must supply his or her name and exhibit operator's driver license to the proper authorities;
 - 5) If able, secure names and addresses of other involved, witnesses and first persons at the scene;
 - 6) If the driver strikes an unattended vehicle and the owner cannot be located, the driver must place his or her name and the address of the Warren County Department securely on the vehicle;
 - 7) The driver shall attempt to protect his or her vehicle from further damage and theft;
 - 8) The driver must comply with the drug-alcohol testing requirements of the County's Substance Abuse Policy(s) for motor vehicle drivers.
 - 9) Post-Accident Testing for drugs and alcohol shall be arranged by the Department Head and/or Human Resources and occur as soon as practicable following an occurrence involving a County driver if the accident involves a loss of human life.
 - 10) Post-Accident Testing for drugs and alcohol shall be arranged by the Department Head and/or Human Resources and occur as soon as practicable following an occurrence involving a County driver if the accident resulted in bodily injury to any person who as a result of the injury immediately receives medical treatment away from the scene of the accident; or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle and moving violation was issued by law enforcement;
 - 11) Employees with Commercial Motor Vehicle Licenses (CDL) must also comply with Warren County's Drug and Alcohol Policy.
- R. If you are the driver of a disabled County vehicle, you need to do the following:
 - 1) Make sure that the vehicle is not impeding the flow of traffic and is not a safety hazard;
 - 2) Turn on the vehicles 4-way flashing hazard lights, if possible;
 - 3) Set-up the vehicles emergency safety triangles and safety cone, if available;
 - 4) Place a note that can be seen from the outside of the vehicle on the dash of the vehicle describing the vehicles problem and drivers contact telephone or cell number;
 - 5) Notify the local police department (*911*) of the vehicles location;
 - 6) Contact your direct supervisor; and
 - 7) Make arrangements to have the vehicle towed.
 - S. No radar detection devices are to be used in any County owned, leased, borrowed or other vehicle used for County business. Drivers who are found to be using such devices may be subject to disciplinary action as determined by the Department Head or County Administrator and in accordance with bargaining agreements and Civil Service Law.

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- T. All employees seeking to operate a County vehicle must have participated in a driver improvement program within the last 3 years. The driver improvement program can be the County's driver improvement training or other driver improvement training approved by New York State Department of Motor Vehicles or the County's Safety Officer. Incidents and accidents involving County vehicles or other vehicles used for County business may be reviewed by the County's Safety Officer and/or the Risk Management Steering Committee and a recommendation may be made in regards to additional driver improvement training.
- U. It will be the County Department Head's responsibility to review this policy with all employees prior to using a vehicle for County business and at any time when the policy is changed. The County Department Head will be responsible for obtaining the signed acknowledgment form that follows from the employees prior to using a vehicle for County business. The County Department Head will be responsible for determining each employee's eligibility under this policy as an authorized driver prior to vehicle use.
- V. County Department Heads or their designee shall notify (*using the proper form*) the Self-Insurance Department upon hire or termination of employees authorized to drive County vehicles or other vehicles for County business. The Self-Insurance Department will maintain the NYS DMV LENS database accordingly.
- W. The violation of any rule in the County Motor Vehicle Use Rules may result in disciplinary action in accordance with bargaining agreements and Civil Services Law.

SCHEDULE "A"

AUTHORIZATION TO ATTEND MEETING OR CONVENTION

Check one:

- In-State (Must be approved by Department Head, County Administrator & Committee Chair)
 On-Line (Must be approved by Department Head, County Administrator & Committee Chair)
 Out-of-State (Must be approved by Department Head, County Administrator & Committee Chair)

The _____ hereby authorizes _____
(Supervisory Committee) (Employee Name)

to attend _____
(Name of meeting or organization)

at _____ on _____
(Address) (Dates)

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

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

Proper documentation must be attached when submitting for approval.

(Please check documents attached)

Notice of meeting/convention/training including cost. Total Cost \$ _____
(Include travel costs)

For Overnight Travel

Room rate \$ _____ GSA* Rate \$ _____ Funding in Budget? _____ Y _____ N

Meal costs \$ _____ GSA* per diem rate \$ _____ Budget Code: _____

* www.gsa.gov

Date: _____ Department Head Signature

Date: _____ County Administrator Signature

Date: _____ Committee Chair Signature

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

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

Filing Instructions:

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

WARREN COUNTY
REPORT OF CONCERNS REGARDING COUNTY VEHICLES
This section to be completed by the employee that used the vehicle.

Department: _____

Vehicle: Make: _____ Model: _____

County No. _____

Date Vehicle Used: _____

Detail of Concern(s): _____

Name: _____ Title: _____

Date: _____

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

This section to be completed by the Fleet Manager:

REVIEW OF CONCERNS AND ACTION TAKEN

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

Name: _____ Title: _____

Date: _____

*Upon resolution the Fleet Manager will distribute (via hard copy, fax OR email):
Copy to Department Head, Copy Vehicle Maintenance Shop, Original to remain with Fleet Manager.*

Warren County Board of Supervisors

RESOLUTION NO. 147 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

ADOPTING REVISED CREDIT CARD POLICY FOR WARREN COUNTY

WHEREAS, the Board of Supervisors adopted the Credit Card Policy for Warren County by Resolution No. 222 of 2015, which was subsequently amended by Resolution Nos. 460 of 2015, 133 of 2019, 411 of 2019, 72 of 2020 and 140 of 2020, and

WHEREAS, the County Administrator has requested revisions to said Credit Card Policy to increase the monthly limit on the credit card in the name of the Veterans' Services Director to be used exclusively by the Veterans' Services Department for the Peer-to-Peer Program from Five Hundred Dollars (\$500) to One Thousand Dollars (\$1,000), and

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

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

RESOLVED, that any and all prior Credit Card Policies, Resolutions or parts thereof inconsistent with the annexed Credit Card Policy for Warren County are hereby repealed effective April 16, 2021.

**COUNTY OF WARREN
CREDIT CARD POLICY**

I. OVERVIEW AND PURPOSE

A. Overview.

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

B. Purpose.

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

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

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

A. Obtaining Credit Cards and Ghost cards

1. Credit cards shall be obtained from the bank or financial institution authorized by resolution of the County Board of Supervisors. Ghost cards for high volume purchases shall be obtained from the same banking institution that credit cards are obtained from and as authorized by the County Board of Supervisors.
2. Once credit cards and/or Ghost cards are authorized by the Board of Supervisors, the County Administrator will coordinate and arrange for issuance of credit and/or ghost cards in accordance with this policy.
3. The County Administrator and Treasurer shall review enrollment forms, verify all information, and submit an application for credit and/or ghost cards to the bank or financial institution identified in subparagraph (1) hereof. The Chairman of the Board of Supervisors shall sign the enrollment forms on behalf of the County.
4. Credit and/or ghost cards shall be issued to:
 - a. Those Department Heads (hereinafter “Cardholders”);
 - b. For the purposes indicated and at the expenditure limits set forth in *Schedule “A”* which may be amended from time to time by further resolution of the County Board of Supervisors.
5. All Cardholders shall execute the Cardholder authorization form annexed hereto as *Schedule*

“B” and sign the back of the credit card upon receipt (signature on ghost cards is not possible and hence not necessary).

6. The aggregate County credit limit for all issued credit and ghost cards shall be \$292,000.

B. Contact With Card Issuer Representatives.

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

C. Online Management of Credit Cards.

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

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

A. Authorized Users

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

B. Authorized Purchases

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

C. Rules of Use

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

1. The goods or services must be budgeted and legally allowable.
2. The total value of a transaction shall not exceed a Cardholders card limit. Payment for a purchase WILL NOT be split into multiple transactions to stay within the card limit.
3. Spending limits for the month must be adhered to.
4. Credit and/or ghost card users must inform the merchant that the purchase is tax exempt and provide tax exempt form as necessary.

5. Credit card and/or ghost card users must retain vendors receipts and/or records of telephone, Internet, and/or mail orders for future reconciliation of the credit card statement. Cardholders or designees shall attach receipts, etc. to the invoice batch submitted to the County Auditor when requesting payment of credit and/or ghost card purchases attributable to the Cardholder or the Cardholder's Department as appears on monthly statements.
6. Credit card and/or Ghost card users must still complete Purchase Orders as required by the County Purchasing Policy (identifying the credit/ghost card issuing bank as payee and providing details as to the service or item purchased). Nothing in this policy shall be construed as a means to circumvent the existing Purchasing Policy of the County in regards to bidding requirements, both formal and informal.
7. Any incentive program benefits arising from the use of County credit cards and/or ghost cards shall be the property of the County and deposited in the County General Fund. The County Board of Supervisors shall determine the use of such incentives, if any.

D. Unauthorized Credit or ghost Card Use

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

E. Cardholder Record Keeping

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

F. Review of Monthly Statement

1. At the end of each billing cycle, the Cardholder or staff member designated in writing or by email shall receive his/her monthly statement of account that will list the transactions to the Cardholders credit card for that period.
2. The Cardholder or staff member designated in writing or by email shall check each transaction listed on the monthly statement against the authorizations to verify that the statement is correct. If an item is returned and a credit voucher received, the Cardholder or designee shall verify that this credit is reflected on the monthly statement.

3. If purchased items are not listed on the monthly statement, the appropriate transaction documentation shall be **RETAINED** by the Cardholder until the next monthly statement. If the purchase or credit does not appear on the statement within 60 days after the date of purchase or return, the Cardholder shall notify the County Administrator and the Treasurer.
4. If in reviewing the monthly statement, if it is known that an item purchased was found to be unacceptable or not received or not even ordered, the Cardholder or designee is responsible for either, obtaining the item, obtaining a replacement or indicating a dispute of a non-ordered item as soon as possible as indicated herein. In the case of an item that has been ordered that is not acceptable, the Cardholder should attempt to receive that item by the date the Cardholder receives his monthly statement or consider placing the item into dispute. If any items are placed in dispute by the Cardholder, it should be documented using *Schedule "E"* Transaction Dispute Form and attached to the statement with the originals to be forwarded to the County Auditor and a copy of all documents to be forwarded to the County Administrator or the Assistant County Administrator who shall handle and/or process the dispute as may be determined appropriate.

G. Cardholder Security

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

H. Cardholder Separation

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

I. Revocation of Credit Card Privileges

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

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

A. General County Department Procedure

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

B. County Auditor Review and Payment by Treasurer

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

V. AUDITS

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

SCHEDULE “A”

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

- a. Three credit cards in the name of the Clerk of the Board of Supervisors, in care of the County of Warren, for travel and lodging and general use purposes each with a monthly credit limit of \$10,000;
- b. One credit card in the name of the Clerk of the Board of Supervisors, in care of the County of Warren, for use by the Warren County Tourism Department, for travel and lodging and general use purposes with a monthly credit limit of \$50,000;
- c. One credit card in the name of the Sheriff for travel and lodging and general use purposes, with a monthly credit limit of \$10,000;
- d. One credit card in the name of the Undersheriff for travel and lodging and general use purposes, with a monthly credit limit of \$10,000;
- e. One credit card in the name of the Superintendent of the Department of Public Works for E-bay fees only with a monthly credit limit of \$1,000;
- f. One credit card in the name of the Purchasing Agent for eBay fees only with a monthly credit limit of \$1,000; and
- g. Up to five ghost cards in the name of the Department(s) individually and for use with high volume vendors as selected by the County Administrator with four cards to have a monthly credit limit not to exceed \$15,000 and one card to have a monthly credit limit not to exceed \$127,000.
- h. One credit card in the name of the Veterans’ Services Director for use exclusively in association with the Peer-to-Peer Program with a monthly credit limit of \$1,000.
- i. One credit card in the name of the Social Services Director for general use purposes with a monthly credit limit of \$1,000.
- j. One credit card in the name of the Health Services Director for general use purposes with a monthly credit limit of \$1,000.

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

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

SCHEDULE "B"

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

Last 4 digits of card: _____

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

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

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

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

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

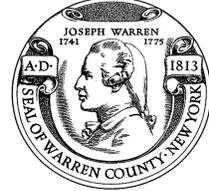
Department Head Name: _____
(Please Print)

Department Head Signature: _____

Date: _____

Warren County Board of Supervisors

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



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

Rachel E. Seeber, Chairwoman

Amanda Allen, Clerk of the

SCHEDULE "C"

GENERAL CREDIT CARD AUTHORIZATION

Date: _____ Appropriation Code: _____ Amount \$ _____

Purchase Order # (if required): _____

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

All purchases are tax exempt.

Vendor Name: _____

Date of Purchase: _____

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

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

Expiration Date: _____

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

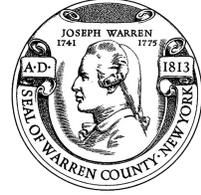
I understand that I am responsible for all charges noted above that are incurred on this account.

CARDHOLDER'S SIGNATURE _____

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

Warren County Board of Supervisors

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



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

Rachel E. Seeber, Chairwoman

Amanda Allen, Clerk of the

SCHEDULE "D"

TRAVEL CREDIT CARD AUTHORIZATION

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

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

AIRLINE TICKETS:

Date of Purchase: _____ Name of Airline: _____

HOTEL CHARGES:

Name and address of hotel: _____

Arrival Date: _____ Departure Date: _____

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

CONFERENCE FEES:

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

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

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

Expiration Date: _____

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

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

CARDHOLDER'S SIGNATURE _____

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

SCHEDULE "E"

COUNTY OF WARREN
TRANSACTION DISPUTE FORM

Cardholder Information:

Cardholder's Name: _____

Card Number: _____

Cardholder's Signature: _____ Date: _____

Vendor Name: _____

Statement Date: _____ Transaction Date: _____

Transaction No. _____ Posting Date: _____

Amount Disputed: _____

Dispute:

The item referenced above is being disputed because:

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

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

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

___ I do not recognize the above transaction.

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

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

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

Warren County Board of Supervisors

RESOLUTION NO. 148 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

INCREASING CAPITAL PROJECT NO. H351, CR44 OVER HUDSON RIVER BRIDGE PAINTING PROJECT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2021

RESOLVED, that the Warren County Board of Supervisors does hereby increase Capital Project No. H351, CR44 Over Hudson River Bridge Painting Project, as follows:

1. Capital Project No. H351, CR44 Over Hudson River Bridge Painting Project, is hereby increased in the amount of Two Thousand Ninety-Six Dollars and Eighty-One Cents (\$2,096.81).
2. The estimated total cost of Capital Project No. H351, CR44 Over Hudson River Bridge Painting Project, is now Eight Hundred Eighty-Five Thousand Eight Hundred Four Dollars and Twenty-Six Cents (\$885,804.26).
3. The proposed method of financing the increase in such Capital Project consists of the following:
 - a. Local share funding in the amount of Two Thousand Ninety-Six Dollars and Eighty-One Cents (\$2,096.81), 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 2021 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>
H351 - CR44 Over Hudson River Bridge Painting Project	\$2,096.81

Warren County Board of Supervisors

RESOLUTION NO. 149 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

RESOLUTION ESTABLISHING A REPAIR RESERVE FUND, DM.868.00, RESERVE, MOBILE BRINE UNIT, TO FINANCE REPAIRS TO MOBILE BRINE UNIT; AUTHORIZING APPROPRIATION OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2021

RESOLVED, that pursuant to Section 6-d of the General Municipal Law, as amended, there is hereby established a Repair Reserve Fund to be known as the Mobile Brine Unit Reserve Fund (DM.868.00) (“Reserve Fund”), with the source of funding to be an appropriation from the Road Machinery Fund (DM.909.00) balance in the amount of Nine Thousand Three Hundred Seventy-Six Dollars and Seventy-Eight Cents (\$9,376.78), which the County Treasurer is hereby authorized and directed to make, and be it further

RESOLVED, that the purpose of this Reserve Fund is to fund repairs to the Mobile Brine Unit, and be it further

RESOLVED, that the Warren County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 9-a of the General Municipal Law. The Warren County Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the Reserve Fund, the amount and date of each withdrawal from the Reserve Fund and the total assets of the Reserve Fund, showing cash balance and shall, at the end of each fiscal year render to the Board of Supervisors a detailed report of the operation and condition of the Reserve Fund, and be it further

RESOLVED, that except as otherwise provided by law, expenditures from the Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of the Warren County Board of Supervisors and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law or any other law, and be it further

RESOLVED, that the Warren County budget for 2021 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 150 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

ESTABLISHING 2021 ROAD FUND PROJECT AND AMENDING WARREN COUNTY BUDGET FOR 2021

RESOLVED, that the Warren County Board of Supervisors does hereby establish the following road fund project:

<u>PROJECT</u>	<u>TITLE</u>	<u>AMOUNT</u>
D.5112.8343	2021 CR#22 Harrisburg Road	\$ 219,211.01

1. The above Road Fund Project is hereby established.
2. The estimated cost for such Road Fund Project is the amount of Two Hundred Nineteen Thousand Two Hundred Eleven Dollars and One Cent (\$219,211.01).
3. The proposed method of financing such Road Fund Project consists of an appropriation from Budget Code D.909.00, County Road Surplus, to be authorized by separate resolution,

and be it further

RESOLVED, that the Warren County Budget for 2021 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 151 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COUNTY ROAD FUND SURPLUS TO THE DEPARTMENT OF PUBLIC WORKS BUDGET; AND AMENDING 2021 WARREN COUNTY BUDGET

WHEREAS, the Superintendent of Public Works has requested funding in the amount of Two Hundred Nineteen Thousand Two Hundred Eleven Dollars and One Cent (\$219,211.01) to place funding received through the EWR (Extreme Winter Recovery) Program for highway resurfacing and highway reconstruction, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed Two Hundred Nineteen Thousand Two Hundred Eleven Dollars and One Cent (\$219,211.01) from the County Road Fund Surplus to the following budget code:

CODE	DEPARTMENT	AMOUNT
D.5112.8343 280	Department of Public Works - 2021 CR 22 Harrisburg Road	\$219,211.01

and be it further

RESOLVED, that any grant funding subsequently applied toward this project in lieu of County funding shall result in an equivalent amount to be returned to the County Road Fund Surplus account, and be it further

RESOLVED, that the Warren County Budget for 2021 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 152 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

AUTHORIZING AGREEMENT WITH GREATER GLENS FALLS TRANSIT AND THE ALLOCATION OF FUNDS TO EXPAND THE CDPHP CYCLE BIKE SHARE PROGRAM TO WARREN COUNTY AS REQUESTED BY THE EMPLOYMENT & TRAINING ADMINISTRATION

WHEREAS, the Greater Glens Falls Transit is looking to expand the CDPHP Cycle Bike Share Program to Warren County, and

WHEREAS, the Finance Committee has approved the request to enter into an agreement with Greater Glens Falls Transit to expand the CDPHP Cycle Bike Share Program to Warren County, for a total amount not to exceed Twenty-Five Thousand Dollars (\$25,000) per year, including a County contribution of up to Ten Thousand Dollars (\$10,000) in 2021 to help cover program operating costs, for a term commencing upon execution by both parties and continuing unless terminated upon thirty (30) days written notice by either party, and

WHEREAS, the Finance Committee has approved an allocation of up to Ten Thousand Dollars (\$10,000) from the Contingent Account to cover the County share, which will be reimbursed if Federal Stimulus funding is received, now, therefore, be it

RESOLVED, that Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with Greater Glens Falls Transit, to expand the CDPHP Cycle Bike Share Program to Warren County, for a total amount not to exceed Twenty-Five Thousand Dollars (\$25,000) per year, including a County contribution of up to Ten Thousand Dollars (\$10,000) in 2021 to help cover program operating costs, to be transferred from the Contingent Account and returned to same upon receipt of Federal Stimulus funding, for a term commencing upon execution by both parties and continuing unless terminated upon thirty (30) days written notice by either party, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 153 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE
COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS;
AMENDING 2021 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed Ten Thousand Dollars (\$10,000) from the Computer Reserve Fund Budget Code A.895.00 to the following Departmental budget:

PROJECT	TITLE	AMOUNT
A.1680 220.1	Information Technology, Office Equipment-Reserve	\$10,000

and be it further,

RESOLVED, that the Warren County Budget for 2021 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 154 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

AUTHORIZING THE APPROPRIATION OF ADDITIONAL FUNDS FROM THE ENVIRONMENTAL TESTING RESERVE FUND TO THE REAL PROPERTY TAX SERVICES BUDGET TO PAY BRONZE CONTRACTING, LLC FOR REMOVAL OF CONTAMINATED SNOW FROM TOWN OF QUEENSBURY TAX MAP PARCEL NO. 302.8-1-2 (275 BAY ROAD); AND AMENDING 2021 WARREN COUNTY BUDGET

WHEREAS, by Resolution No. 219 of 2020, the Warren County Board of Supervisors authorized the appropriation of funds in an amount not to exceed Seventy-Seven Thousand Fifty-Five Dollars (\$77,055) from Budget Code A.893.00, Reserve, Environmental Testing Fund, to Budget Code A.1355 470, Real Property Tax Services, Contract, to pay Bronze Contracting, LLC for demolition and asbestos abatement services and Atlantic Testing Laboratories for asbestos project monitoring for Town of Queensbury Tax Map Parcel No. 302.8-1-2 (275 Bay Road), and

WHEREAS, by Resolution No. 401 of 2020, the Warren County Board of Supervisors authorized the appropriation of funds in an amount not to exceed Five Hundred Dollars (\$500) from Budget Code A.893.00, Reserve, Environmental Testing Fund, to Budget Code A.1355 470, Real Property Tax Services, Contract, to pay Bronze Contracting, LLC to cover the cost of increase in prevailing wage, and

WHEREAS, by Resolution No. 60 of 2021, the Warren County Board of Supervisors authorized the appropriation of funds in an amount not to exceed Ten Thousand Dollars (\$10,000) from Budget Code A.893.00, Reserve, Environmental Testing Fund, to Budget Code A. 1355 470, Real Property Tax Services, Contract, to pay Atlantic Testing Laboratories for additional asbestos project monitoring fees, and

WHEREAS, the Director of Real Property Tax Services has requested an additional Eleven Thousand Two Hundred Forty-Four Dollars (\$11,244) be appropriated from Budget Code A.893.00, Reserve, Environmental Testing Fund, to Budget Code A.1355 470, Real Property Tax Services, Contract, to pay Bronze Contracting, LLC for removal of contaminated snow, which includes trucking and disposal

RESOLUTION No. 154 OF 2021

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from Town of Queensbury Tax Map Parcel No. 302.8-1-2 (275 Bay Road), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors does hereby authorize the appropriation of an additional Eleven Thousand Two Hundred Forty-Four Dollars (\$11,244) from Budget Code A.893.00, Reserve, Environmental Testing Fund, to Budget Code A.1355 470, Real Property Tax Services, Contract, and be it further

RESOLVED, that the Warren County Budget for 2021 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION No. 155 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BEATY, THOMAS, MCDEVITT, MERLINO, BRAYMER, DIAMOND AND BRUNO

ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH AUCTIONS INTERNATIONAL, INC. FOR PROFESSIONAL AUCTIONEER/BROKER TO CONDUCT LAND AUCTION (WC 10-21)

WHEREAS, the Purchasing Agent requested bids for Professional Auctioneer/Broker to Conduct Land Auction (WC 10-21), and

WHEREAS, the Director of Real Property has recommended that Warren County award the agreement to Auctions International, Inc., now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Auctions International, Inc. of the acceptance of its proposal, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with Auctions International, Inc., for Professional Auctioneer/Broker to Conduct Land Auction, pursuant to the terms and provisions of the bid documents and proposal (WC 10-21), for a term commencing upon execution by both parties and terminating December 31, 2021, with the option for two (2) additional one (1) year terms upon mutual agreement of the parties, in a form approved by the County Attorney.