

Warren County Board of Supervisors

**AGENDA
FRIDAY OCTOBER 15, 2021
BOARD MEETING**



10:00 a.m. Call Meeting to Order

Pledge of Allegiance - Supervisor Beaty

Roll Call

Motion to approve minutes of the September 17th Board Meeting, subject to correction by the Clerk of the Board

Presentation of Employee of the Month Award

Graduates of County's Leadership Training Program recognized

Graduates of County's Safety Program recognized

Privilege of the floor to Dr. Jim Seeley, Cornell Cooperative Extension, for presentation of "4-H Campership Day Trips Summer 2021" video

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

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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
PR023 2021		PROCLAMATION - BREAST CANCER AWARENESS MONTH
PR024 2021		PROCLAMATION - YOUTH SUBSTANCE ABUSE PREVENTION MONTH
PR025 2021		PROCLAMATION - FIRE PROTECTION WEEK
PR026 2021		PROCLAMATION - J. WALTER JUCKETT AWARD
PR027 2021		PROCLAMATION - GREEN LIGHT FOR MILITARY SERVICE
PR028 2021		PROCLAMATION - CPL BEN OSBORN DAY
RCAR01		REPORT OF COMMITTEE ON ASSESSMENT ROLLS
414	ROLL CALL	FINANCE - MAKING SUPPLEMENTAL APPROPRIATIONS <i>AMENDED FROM THE FLOOR DURING THE BOARD MEETING</i>
415	ROLL CALL	FINANCE - AMENDING WARREN COUNTY BUDGET FOR 2021 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY
416		COUNTY FACILITIES (AIRPORT) - AWARDING BID AND AUTHORIZING AGREEMENT WITH BASELINE KING CORP. TO REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NY (WC 3-21)
417		COUNTY FACILITIES (AIRPORT) - AUTHORIZING AGREEMENT WITH JACOBS CIVIL CONSULTANTS, INC. TO PROVIDE CONSULTING SERVICES FOR THE CONSTRUCTION INSPECTION/CONSTRUCTION OBSERVATION FOR THE REHABILITATION OF TAXIWAY LIGHTING PROJECT AT THE WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT
418		COUNTY FACILITIES (AIRPORT) - AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN WARREN COUNTY AND THE TOWN OF QUEENSBURY FOR REIMBURSEMENT OF PAYROLL EXPENSES INCURRED DURING THE 2021 ADIRONDACK HOT AIR BALLOON FESTIVAL AT THE WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT

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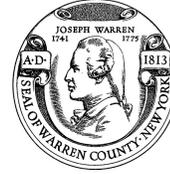
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419		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - AMENDING RESOLUTION NO. 123 OF 2021, "AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE HOUSING TRUST FUND CORPORATION, OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING UNDER THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT", TO AUTHORIZE CHAIR OF THE BOARD OF SUPERVISORS TO ACCEPT THE GRANT AWARD AND EXECUTE THE GRANT AGREEMENT(S) AND ANY AND ALL OTHER NECESSARY DOCUMENTS RELATING TO SAID AGREEMENT
420		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - ESTABLISHING A SPECIAL COMMITTEE ENTITLED "ARPA ADVISORY COMMITTEE" AND APPOINTING MEMBERS OF SAME
421		ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES (<i>REAL PROPERTY TAX SERVICES</i>) - AMENDING RESOLUTION NO. 362 OF 2020, "APPROVING AND ADOPTING THE WARREN COUNTY REAL ESTATE AUCTION 2021 TERMS AND CONDITIONS OF SALE APPLICABLE TO THE SALE OF PARCELS ACQUIRED BY THE COUNTY BY REASON OF THE FORECLOSURE OF TAX LIENS", TO UPDATE THE BUYER'S PREMIUM AMOUNT
422		ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES (<i>REAL PROPERTY TAX SERVICES</i>) - AUTHORIZING AGREEMENT WITH THE NEW YORK STATE ENVIRONMENTAL PROTECTION AND SPILL COMPENSATION FUND CONCERNING PETROLEUM CONTAMINATION AT TOWN OF JOHNSBURG TAX MAP PARCEL NO. 133.8-1-27
423		ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES (<i>REAL PROPERTY TAX SERVICES</i>) - AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF JOHNSBURG RELATIVE TO THE FUTURE SALE OF TAX MAP PARCEL NO. 133.8-1-27
424		GOVERNMENTAL OPERATIONS & ADVOCACY (<i>PURCHASING</i>) - ADOPTING THE REVISED 2021 PURCHASING POLICY FOR WARREN COUNTY
425		HEALTH SERVICES (<i>HEALTH SERVICES DIVISION</i>) - AUTHORIZING AGREEMENT WITH LAURA SULLIVAN TO PROVIDE OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT <i>RESOLUTION REVISED AFTER DISTRIBUTION</i>

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426		HEALTH SERVICES (<i>HEALTH SERVICES DIVISION</i>) - ACCEPTING DONATION FROM AN ANONYMOUS SOURCE IN MEMORY OF A PATIENT
427		HUMAN SERVICES (<i>DEPARTMENT OF SOCIAL SERVICES</i>)- AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS AND THE WARREN COUNTY TREASURER TO EXECUTE AN APPLICATION FOR YOUTH PROGRAM FUNDS FROM THE NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES AS OUTLINED IN THE 2021 RESOURCE ALLOCATION PLAN
428		HUMAN SERVICES (<i>DEPARTMENT OF SOCIAL SERVICES</i>)- AUTHORIZING AGREEMENT WITH COUNCIL FOR PREVENTION OF ALCOHOL AND SUBSTANCE ABUSE, INC. FOR THE YOUTH COURT PROGRAM
429		HUMAN SERVICES (<i>DEPARTMENT OF SOCIAL SERVICES</i>)- AUTHORIZING AGREEMENTS BETWEEN WARREN COUNTY AND THE TOWNS OF WARREN COUNTY FOR REIMBURSEMENT OF A PORTION OF THE COSTS FOR RECREATIONAL PROGRAMS
430	ROLL CALL	PROPOSED SEPTIC INSPECTION AT TRANSFER - INTRODUCING PROPOSED LOCAL LAW NO. 7 OF 2021, ENTITLED “SEPTIC INSPECTION UPON TRANSFER”, AND AUTHORIZING PUBLIC HEARINGS THEREON <i>AMENDED FROM THE FLOOR DURING THE BOARD MEETING</i>
431		PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>) - INTRODUCING PROPOSED LOCAL LAW NO. 8 OF 2021, ENTITLED “A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2021 AND LOCAL LAW NO. 5 OF 2009, ESTABLISHING THE OFFICE OF EMERGENCY SERVICES FOR WARREN COUNTY”, AND AUTHORIZING A PUBLIC HEARING THEREON
432		PUBLIC SAFETY (<i>SHERIFF</i>) - AWARDED BID AND AUTHORIZING AGREEMENT WITH NEMER CHRYSLER JEEP DODGE RAM, LLC FOR PROPRIETARY DEALER ONLY REPAIRS FOR VARIOUS DODGE, CHRYSLER AND JEEP MAKES AND MODELS (WC 38-21)
433		PUBLIC SAFETY (<i>SHERIFF</i>) - AMENDING RESOLUTION NO. 329 OF 2021, AUTHORIZING AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING WITH VARIOUS AGENCIES/DEPARTMENTS CONCERNING STOP-DWI PROGRAM - TRAFFIC SAFETY, TO CHANGE THE COMMENCEMENT DATE
434		PUBLIC SAFETY (<i>SHERIFF</i>) - AUTHORIZING MEMORANDUMS OF UNDERSTANDING WITH THE WARREN COUNTY SHERIFF’S OFFICE CONCERNING STOP-DWI PROGRAM - TRAFFIC SAFETY

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436		PUBLIC WORKS (DPW) - AUTHORIZING AN AGREEMENT WITH THE THURMAN VOLUNTEER FIRE DEPARTMENT FOR USE OF THE COUNTY MOTOR FUEL SYSTEM
437		PUBLIC WORKS (DPW)- AWARDING BID AND AUTHORIZING AGREEMENT WITH GALUSHA & SONS, LLC FOR HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT, TOWN OF BOLTON, WARREN COUNTY, NY (WC 31-21)
438		PUBLIC WORKS (DPW) - AMENDING AGREEMENT WITH BARTON & LOGUIDICE FOR CONSULTANT SERVICES IN CONNECTION WITH CAPITAL PROJECT H384 CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT, TOWN OF BOLTON, TO INCLUDE SUPPLEMENTAL AGREEMENT NO. 1 FOR THE DEPARTMENT OF PUBLIC WORKS
439		PUBLIC WORKS (DPW)- AWARDING BID AND AUTHORIZING AGREEMENT WITH NORTHEAST PETROLEUM TECHNOLOGIES, INC. FOR FUEL MONITORING SYSTEM UPGRADE FOR WARREN COUNTY, NY (WC 48-21)
440		TOURISM & OCCUPANCY TAX COORDINATION - AMENDING AGREEMENT WITH ADIRONDACK REGIONAL TOURISM COUNCIL, INC. FOR REGIONAL MARKETING SERVICES, TO INCREASE THE NOT TO EXCEED AMOUNT
441		TOURISM & OCCUPANCY TAX COORDINATION - REVISING AND RE-ESTABLISHING CRITERIA FOR THE EXPENDITURE OF COUNTY OCCUPANCY TAX REVENUES IN CONNECTION WITH CONVENTIONS, TRADE SHOWS AND EVENTS
442		TOURISM & OCCUPANCY TAX COORDINATION - AMENDING RESOLUTION NO. 391 OF 2021, AUTHORIZING AGREEMENTS WITH CERTAIN APPLICANTS FOR THE DISBURSEMENT OF 2021 OCCUPANCY TAX REVENUES, TO AWARD FUNDING TO EVENTS TO A T
443	ROLL CALL	TOURISM & OCCUPANCY TAX COORDINATION - AWARDING BID AND AUTHORIZING AGREEMENT WITH HUNDEN STRATEGIC PARTNERS FOR TOURISM CONSULTANT TO PROVIDE COMPETITOR MARKET DATA TO THE WARREN COUNTY TOURISM DEPARTMENT (WC 25-21)

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444		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION (COUNTY ATTORNEY) - ACCEPTING SETTLEMENT WITH REGARD TO OPIOID LITIGATION
445		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION (HUMAN RESOURCES) - AUTHORIZING WAIVING THE CO-PAY FOR TELEHEALTH SERVICES AND COVID-19 TESTING FOR THE 2021-2022 BENEFIT PLAN YEAR
446		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - DELEGATING AUTHORITY TO CHAIR OF THE BOARD AND COUNTY ADMINISTRATOR TO ENTER INTO AGREEMENTS AND AUTHORIZE EXPENDITURES AS NECESSARY FOR AUTOPSY SERVICES, AS WELL AS FOR REMOVAL, TRANSPORT, FORENSIC MEDICAL SERVICES FEES AND MORGUE FACILITY USE FEES
447		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - AUTHORIZING SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE OFFICE OF CLIMATE CHANGE FOR THE 2021 ZERO-EMISSION VEHICLE INFRASTRUCTURE GRANTS FOR MUNICIPALITIES PROGRAM
448	ROLL CALL	PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - INTRODUCING PROPOSED LOCAL LAW NO. 9 OF 2021, ENTITLED "A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE WARREN COUNTY BOARD OF SUPERVISORS AMONGST TWENTY (20) MEMBERS", AND AUTHORIZING PUBLIC HEARING THEREON
449	ROLL CALL	PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - INTRODUCING PROPOSED LOCAL LAW NO. 10 OF 2021, ENTITLED "A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE WARREN COUNTY BOARD OF SUPERVISORS AMONGST TWENTY-ONE (21) MEMBERS", AND AUTHORIZING PUBLIC HEARING THEREON RESOLUTION FAILED
450	ROLL CALL	PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - APPOINTING MEMBERS TO THE WARREN COUNTY BOARD OF ETHICS
451	ROLL CALL	FINANCE (AIRPORT) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE AIRPORT RESERVE TO THE DEPARTMENT OF PUBLIC WORKS BUDGET TO COVER THE LOCAL MATCH OF FEDERAL AVIATION ADMINISTRATION AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANTS FOR CAPITAL PROJECT H403, REHAB AIRFIELD TAXIWAY LIGHTING SYSTEMS; AMENDING 2021 WARREN COUNTY BUDGET

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452	ROLL CALL	FINANCE (<i>AIRPORT</i>) - INCREASING CAPITAL PROJECT NO. H403, REHABILITATION OF AIRFIELD TAXIWAY LIGHTING SYSTEM - DESIGN; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING WARREN COUNTY BUDGET FOR 2021
453	ROLL CALL	FINANCE (<i>COUNTY ADMINISTRATOR</i>) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS, COUNTY ROAD UNAPPROPRIATED SURPLUS AND ROAD MACHINERY UNAPPROPRIATED SURPLUS TO VARIOUS DEPARTMENTAL BUDGETS; AMENDING 2021 WARREN COUNTY BUDGET
454	ROLL CALL	FINANCE (<i>DPW</i>) - INCREASING CAPITAL PROJECT NO. H384, CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING 2021 WARREN COUNTY BUDGET
455	ROLL CALL	FINANCE (<i>INFORMATION TECHNOLOGY</i>) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS; AMENDING 2021 WARREN COUNTY BUDGET
456	ROLL CALL	FINANCE (<i>OFFICE OF COMMUNITY SERVICES</i>) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE MENTAL HEALTH BUDGET; AMENDING 2021 WARREN COUNTY BUDGET
457	ROLL CALL	FINANCE (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - ESTABLISHING COMMUNITY DEVELOPMENT FUND CD 77 COUNTRYSIDE CARES ACT; AUTHORIZING TRANSFER OF FUNDS AND AMENDING WARREN COUNTY BUDGET FOR 2021
458		ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES - RESOLUTION SETTING PUBLIC HEARING ON WARREN COUNTY SEWER DISTRICT (INDUSTRIAL PARK) ASSESSMENT ROLL <i>STANDARD ANNUAL RESOLUTION - AUTHORIZED THROUGH OUT-OF-COMMITTEE RESOLUTION REQUEST PROCESS</i>
459		ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES - ADOPTING EQUALIZATION RATES FOR MUNICIPALITIES IN WARREN COUNTY FOR 2021 <i>STANDARD ANNUAL RESOLUTION - AUTHORIZED THROUGH OUT-OF-COMMITTEE RESOLUTION REQUEST PROCESS</i>

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460		ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES - RELATING TO UNPAID SCHOOL TAXES <i>STANDARD ANNUAL RESOLUTION - AUTHORIZED THROUGH OUT-OF-COMMITTEE RESOLUTION REQUEST PROCESS</i>

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Note: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize 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.” All of the Board members were physically present.

Please note that the following is a summarization of the Board Meeting; the meeting, in its entirety, can be viewed on the Warren County website: <https://warrencountyny.gov/mma>

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

Ms. Rachel E. Seeber presiding.

Salute to the flag was led by Supervisor Beaty.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Smith, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Thomas, Shepler, Geraghty and Seeber-20; Absent -0. *All Supervisors in attendance were physically present.*

Motion was made by Supervisor Frasier, seconded by Supervisor Bruno and carried unanimously to approve the minutes of the September 17, 2021 Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Airport employees Scott Esser and Derrick Blackmer.

Presentation of completion certificates to the graduates of the County's Safety Program were made to DPW employees Richard Toll, Pete Bedarian and Cody Moffitt.

The Cornell Cooperative Extension “4-H Campership Day Trips Summer 2021” video was played for the Board.

Report by the Chair of the Board was given.

Reports by Committee Chairs were given.

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Report by the County Administrator was given.

Report by the County Attorney was given.

Reading of communications by the Clerk of the Board was provided, as follows:

Reports from:

1. Warren County Probation - Reports of Criminal and Family Workloads for the month of August 2021.
2. Capital District Off Track Betting Corp. - Financial Report dated June 30, 2021.
3. Capital District Off Track Betting Corp. - Financial Report dated July 31, 2021.

Letters/emails from:

1. NYS Office of Parks, Recreation & Historic Preservation - Announcing that the Mountainside Free Library in Queensbury, NY is being considered for the New York State Register of Historic Places and nominated to the National Register of Historic Places.

Other:

1. Washington County Board of Supervisors - Resolution No. 195 of 2021 entitled *"Supporting Adirondack Community College Capital Improvement Plan for 2022-2023 in the Total Amount of \$1,701,500"*
2. NYSAC - Resolutions Adopted at the 2021 Fall Seminar.
3. FitzGerald Morris Baker Firth - Notice of Public Hearing - Boats by George, Inc. Project

Reading of resolutions by the Clerk of the Board was announced as follows:

Proposed Resolution Nos. 441-460 were distributed to the Board and posted to the Warren County website on Tuesday, October 12th which met the distribution deadline specified in the Rules of the Board. Proposed Resolution No. 425 was amended after mailing and posted to the Warren County website on Thursday, October 14th. A motion was requested to approve the amendments, as provided, to Resolution No. 425; the necessary motion was made by Supervisor Driscoll, seconded by Supervisor Magowan and carried unanimously.

Prior to commencing the discussion on resolutions, Chairwoman Seeber announced Resolution No. 312 of 2015, *Adopting the Warren County Board of Supervisors Rules and Procedures for Public Participation at Board of Supervisors Meetings and Board of Supervisors Committee Meetings*, specifically outlined the County's policy regarding public participation at the Board and Committee meetings and provided some latitude to the Chair of the Board in allowing for such. Copies of said resolution were made available to all those present.

Discussion on resolutions ensued, as follows:

Chairwoman Seeber called for public comment on any resolutions before the Board, but there was none.

Supervisor Braymer spoke to an amendment she proposed to Resolution No. 430, *Introducing Proposed Local Law No. 7 of 2021, Entitled "Septic Inspection upon Transfer", and Authorizing Public Hearings Thereon*, specifically relating to missing language agreed upon by the Proposed Septic Inspection at Transfer Committee which allowed each town the ability to opt-out of the legislation, provided they did so by resolution prior to the effective date of the Local Law.

A motion was made by Supervisor Braymer, seconded by Supervisor Magowan and carried unanimously to amend proposed Resolution No. 430, as outlined above.

A lengthy discussion ensued regarding proposed Resolution No. 430 during which several

Supervisors voiced their concerns with the Local Law in its present form and indicated they felt more work was required to address all waterbodies in the County. Multiple Supervisors spoke in favor of moving this forward to a Public Hearing to allow affected property owners to voice their opinions on the matter. It was suggested that multiple public hearings be held to ensure residents were aware of the proposed local law and to obtain their input; it was also suggested that the public hearing notice be delivered by mail to the owner of each impacted parcel. Chairwoman Seeber noted funding for this mailing was not available in the existing budget and that a transfer would be necessary to place the funds in the appropriate budget.

Further discussion ensued, during which it was decided an evening meeting of the Proposed Septic Inspection at Transfer Committee would be held at the Lake George Town Hall on November 17th at 7:00 p.m. to hold an initial public hearing, with a second public hearing to be held at the regular Board Meeting on November 19th at 10:00 a.m. Motion was made by Supervisor Braymer, seconded by Supervisor Magowan and carried unanimously to further amend proposed Resolution No. 430, *Introducing Proposed Local Law No. 7 of 2021, Entitled "Septic Inspection upon Transfer", and Authorizing Public Hearings Thereon*, to authorize two Public Hearings, the first of which was to be held on November 17, 2021 at 7:00 p.m. at the Lake George Town Hall during a special meeting of the Proposed Septic Inspection at Transfer Committee, and the second to be held at the November 19, 2021 Board Meeting at 10:00 a.m.

A motion was made by Supervisor Braymer and seconded by Supervisor Shepler to amend Resolution No. 414, *Making Supplemental Appropriations*, to include authorizing a transfer of funds in the amount of \$2,000 from the Contingent Account to pay for post cards to be mailed to the 4,500 County landowners affected by the proposed Local Law notifying them of the two Public Hearings. Further discussion ensued following which Supervisors Braymer and Shepler amended their motions to increase the amount to be transferred from the Contingent Account to \$5,000. Chairwoman Seeber called the question and the motion to amend proposed Resolution No. 414 of 2021, as outlined above, was carried by majority vote, with Supervisor Thomas voting in opposition.

A discussion ensued regarding proposed Resolution No. 448, *Introducing Proposed Local Law No. 9 of 2021, Entitled "A Local Law Reapportioning the Weighted Vote the Warren County Board of Supervisors Amongst Twenty (20) Members", and Authorizing Public Hearing Thereon*, during which Supervisor Beaty requested a roll call vote on the proposed resolution.

Chairwoman Seeber requested a roll call vote on proposed Resolution No. 449, *Introducing Proposed Local Law No. 10 of 2021, Entitled "A Local Law Reapportioning the Weighted Vote of the Warren County Board of Supervisors Amongst Twenty-one (21) Members", and Authorizing Public Hearing Thereon*.

Supervisor Geraghty requested a roll call vote on proposed Resolution No. 450, *Appointing Members to the Warren County Board of Ethics*.

A discussion ensued regarding proposed Resolution No. 450, *Appointing Members to the Warren County Board of Ethics*, during which Supervisor Leggett voiced his concerns with a School Board Member being considered an elected/appointed officer or employee of a local municipality. Following further discussion, a motion was made by Supervisor Driscoll and seconded by Supervisor Shepler to amend proposed Resolution No. 450 to vote separately on each category of appointment; however, the motion failed by a vote of 339 in favor (*Supervisors Beaty, Thomas, Shepler, Geraghty, McDevitt, Bruno, Driscoll, Frasier and Smith*) and 661 opposed (*Supervisors Conover, Leggett, Diamond, Braymer, Hogan, Dickinson, Merlino, Strough, Wild, Magowan and Seeber*).

Supervisor Dickinson requested a roll call vote on proposed Resolution No. 430, *Introducing Proposed Local Law No. 7 of 2021, Entitled "Septic Inspection upon Transfer", and Authorizing Public Hearings Thereon.*

Supervisor Braymer requested a roll call vote on proposed Resolution No. 443, *Awarding Bid and Authorizing Agreement with Hunden Strategic Partners for Tourism Consultant to Provide Competitor Market Data to the Warren County Tourism Department (WC 25-21).*

Voting on resolutions occurred; Resolution Nos. 414-460 were approved as presented, with the exception of Resolution Nos. 414 and 430, which were approved in the form amended from the floor, and Resolution No. 449, which failed to obtain the majority vote required.

Chair offered privilege of the floor and the following members of the public spoke:

Christianne Strough, *Town of Queensbury Resident*, spoke regarding the Majority and Minority positions and the Municipal Home Rule Process required to allow the County to pay a stipend to Supervisors for additional duties they were performing. She then voiced her disappointment with a comment made by Supervisor Beaty at the September 17th Board Meeting, which she noted had not been recorded in the meeting minutes, regarding her mental health, pointing out that he had no credentials to do so, and she questioned how this could be permissible when Board members were not permitted to insult fellow Supervisors.

Travis Whitehead, *Town of Queensbury Resident*, spoke regarding his belief that anyone running for public office should allow a public disclosure of their records, and of his unsuccessful attempts to obtain access to such records which required authorization by the candidate, who was in this case Brent McDevitt.

Supervisor McDevitt interjected, calling for point of order. Chairwoman Seeber asked Supervisor McDevitt to state why he felt the rules were being broken so she could make a determination. Supervisor McDevitt indicated Mr. Whitehead's statements were not relevant to anything that was being discussed. Chairwoman Seeber responded the point was not well taken and she asked Mr. Whitehead to proceed with his comments. Supervisor Wild then called for point of order and Chairwoman Seeber apprised it was necessary for him to state how he felt the rules were being broken. Supervisor Wild indicated he had always expressed his concern with Robert's Rules of Order and how they could be used to weaponize, apprising he was unsure what the actual rule was, but he was unsure that this discussion was appropriate for this forum since it was political in nature and was an election year. Chairwoman Seeber indicated she believed Supervisor Wild's point was he did not believe the commentary was appropriate and she needed to rule on that point. She requested a moment to discuss this with the Parliamentarian so she could refer back to Resolution No. 312 of 2015, *Adopting the Warren County Board of Supervisors Rules and Procedures for Public Participation at Board of Supervisors Meetings and Board of Supervisors Committee Meetings*, which provided the guiding principle in this case. Following her review of Resolution No. 312 of 2015, Chairwoman Seeber ruled that Supervisor Wild's point was not well taken; she advised she ruled in this manner because for the entirety of the year 2021 the Board had afforded every single member of the public to take the floor and had not interrupted them despite many things that were not relevant to this Board or the business in front of them. She said it had been the custom and tradition of this Board to hear from the public regardless of what they had to state and at this point and time based on Resolution No. 312 of 2015, the decision to allow such comments was left to the discretion of the Chair. She advised if the Board would like to appeal her decision, a motion could be made and a roll call vote taken to overturn it.

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Chairwoman Seeber asked if there was anyone wishing to make a motion, to which Supervisor Hogan responded with a motion to adjourn which was seconded by Supervisor Leggett. Chairwoman Seeber called for a roll call vote on the motion to adjourn, following which it was announced that the motion was passed by a vote of 781 in favor (*Supervisors Beaty, Thomas, Shepler, Geraghty, Conover, Leggett, Diamond, McDevitt, Braymer, Driscoll, Frasier, Smith, Hogan, Strough, Wild, Magowan*), 85 opposed (*Chairwoman Seeber*) and 134 Absent (*Supervisors Bruno, Dickinson and Merlino*).

The meeting adjourned at 1:01 p.m.

Warren County Board of Supervisors

Proclamation

WHEREAS, Breast Cancer Awareness Month is a time for standing with those courageous women who have been diagnosed with breast cancer, and for honoring those who have lost their battle to this terrible disease, and

WHEREAS, as the second most common cancer affecting women, more than 281,000 new cases of breast cancer are expected to be diagnosed in 2021, which means that approximately 1 in 8 women will be affected, and

WHEREAS, nearly 42,000 women die from breast cancer each year in the United States, a number which could potentially be reduced with increased breast cancer screenings, and

WHEREAS, increased breast cancer screening increases early detection; reduces death; increases life expectancy; decreases late-stage cancer diagnoses; and increases five-year survival rates, and

WHEREAS, 2021 marks the 30th Anniversary of the National Breast and Cervical Cancer Early Detection Program which provides free breast and cervical cancer screenings to low-income, uninsured, and underinsured women, and

WHEREAS, the COVID-19 Pandemic has disrupted many parts of our lives and has produced new deficits in breast cancer early detection, spurring a renewed urgency to getting these recommended screenings scheduled, and

WHEREAS, in Warren County we are fortunate to have excellent regional resources for screening and treatment, particularly those offered at the Cancer Center at Glens Falls Hospital, now, therefore, be it

RESOLVED, that I, Rachel E. Seeber, Chairwoman, on behalf of the Warren County Board of Supervisors do proclaim the month of October to be

BREAST CANCER AWARENESS MONTH

in Warren County, and encourage all the women in our community to schedule and maintain screenings, and encourage all residents to participate in events aimed at raising awareness about and promoting early screening while honoring those affected by breast cancer, particularly those who have lost their battle.

DATED: OCTOBER 15, 2021



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

Warren County Board of Supervisors

Proclamation

WHEREAS, October was first declared National Substance Abuse Prevention Month in 2011, and since then has served as a time to highlight the vital role of substance abuse prevention in both individual and community health, to remember those who have lost their lives to substance abuse, and to acknowledge those in recovery, and

WHEREAS, millions of Americans suffer from substance abuse, which includes underage drinking, alcohol dependency, non-medical use of prescription drugs, abuse of over-the-counter medications, and illicit drug use, and

WHEREAS, studies have shown that the earlier an individual starts smoking, drinking or using other drugs, the greater the likelihood of developing addiction, with 9 out of 10 people who abuse or are addicted to nicotine, alcohol or other drugs having begun using these substances before they were 18, and

WHEREAS, prevention strategies targeting the root of the problem are essential to curbing drug use and helping people lead healthier lives, and

WHEREAS, early intervention helps prevent substance abuse and reduce the negative consequences of addiction before they occur, and

WHEREAS, through community-based efforts, such as those provided by the Warren/Washington Counties Council for Prevention, involving youth, parents, educators, and government officers, we can strengthen the support systems that deter our Nation's young people from drug consumption, now, therefore, be it

RESOLVED, that I, Rachel E. Seeber, Chairwoman, on behalf of the Warren County Board of Supervisors do proclaim the month of October 2021 to be

YOUTH SUBSTANCE ABUSE PREVENTION MONTH

in Warren County and encourage all residents to participate in activities aimed at preventing youth substance abuse and raising awareness with regard to the same.

DATED: OCTOBER 15, 2021



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

Warren County Board of Supervisors

Proclamation

WHEREAS, fire is a serious public safety concern both locally and nationally, with more than 339,500 home fires having been reported in the United States in 2019, and 2,770 people having perished in those fires, according to the National Fire Protection Association's report, and

WHEREAS, working smoke alarms and carbon monoxide detectors sense dangers well before a person can, alerting to danger where occupants may have as little as 2 minutes to escape safely, and cutting the risk of dying in home fires or from carbon monoxide exposures in half, and

WHEREAS, residents are encouraged to make sure their smoke alarms and carbon monoxide detectors meet the needs of all family members, including those with sensory or physical disabilities, and

WHEREAS, first responders in Warren County, which include those from the Bay Ridge Volunteer Fire Co.; Bakers Mill Fire Department; Bolton Landing Volunteer Fire Company; Chestertown Volunteer Fire Company; Garnett Lake Fire Department; Glens Falls Fire Department; Hague Volunteer Fire Department; Horicon Volunteer Fire Department; Johnsbury Volunteer Fire Company; Lake George Volunteer Fire Company; Luzerne-Hadley Fire Department; North Creek Volunteer Fire Company; North Queensbury Volunteer Fire Company; North River Volunteer Fire Company; Pottersville Volunteer Fire Department; Queensbury Central Volunteer Fire Company; Riverside Volunteer Fire Department; South Queensbury Volunteer Fire Department; Stony Creek Volunteer Fire Company; Thurman Volunteer Fire Company; Warrensburg Volunteer Fire Company; and West Glens Falls Volunteer Fire Company, are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education, and

WHEREAS, residents who are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes, and

WHEREAS, the 2021 Fire Prevention Week theme, "Learn the Sounds of Fire Safety", effectively reminds us it is important to learn the different sounds of smoke and carbon monoxide alarms, now, therefore, be it

RESOLVED, that I, Rachel E. Seeber, Chairwoman, on behalf of the Warren County Board of Supervisors, do belatedly proclaim the week of October 3-9, 2021 to be

FIRE PROTECTION WEEK

in Warren County, and urge all residents to "Learn the Sounds of Safety" and to support the many public safety activities and efforts of Warren County fire and emergency services personnel throughout the year.

DATED: OCTOBER 15, 2021



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

Warren County Board of Supervisors

Proclamation

WHEREAS, each fall since 1990, the Adirondack Regional Chamber of Commerce has given an award for community service in the name of local industrialist and philanthropist J. Walter Juckett, and

WHEREAS, this award annually recognizes members of the community who selflessly go above and beyond by contributing time and energy to help others and demonstrate significant contributions to the community in the field of human services, education, business, or industry, and

WHEREAS, over the years, this prestigious award has honored 32 different people who make up the fabric of our community, and

WHEREAS, Glens Falls businessman Mark Behan has been deservedly selected as the 2021 J. Walter Juckett Award nominee, and

WHEREAS, Mr. Behan has given many hours of his own time to help Warren County, its employees and its residents and many other organizations both during the COVID-19 pandemic and during his prior years of service to the region, and

WHEREAS, Mr. Behan is the founder and president of Behan Communications Inc., the strategic communications firm he founded 33 years ago. He serves on the boards of Arrow Financial Corp. And Glens Falls National Bank and Trust Co., the Glens Falls Foundation, the E. Leo Spain Foundation and Kelly's Angels, Inc. For 18 years, he was a member of the Board of Governors of Glens Falls Hospital and also has served on the Albany Medical Center Board of Directors, now, therefore, be it

RESOLVED, the Warren County Board of Supervisors congratulates Mark Behan on this well-deserved award, and thanks him for his years of selfless efforts to the residents of Warren County and extends our deepest gratitude to the Adirondack Regional Chamber of Commerce for annually recognizing individuals with the prestigious J. Walter Juckett award who are pillars of our community.

DATED: OCTOBER 15, 2021



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

Warren County Board of Supervisors

Proclamation

WHEREAS, the residents of Warren County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces, and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens, and

WHEREAS, Warren County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all, and

WHEREAS, New York States Veteran Population has decreased by 44% over the last 20 years, and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, Knights of Columbus, Elks Club, Moose Lodge, church groups, civil service, and many other civic minded organizations, and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually, and there is estimated to be a 20% increase in the number of service members transitioning to civilian life in the near future, and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life, and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service, which has led to the creation of several programs to assist Veterans in this transition, such as the Warren-Washington Counties Peer-to-Peer Program, the Adirondack Regional Chamber of Commerce's Veterans' Business Network and the SUNY Adirondack Randles Veterans Resource Center, and

WHEREAS, Warren County appreciates the sacrifices our United State Military Personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned, now, therefore, be it

RESOLVED, that I, Rachel E. Seeber, Chairwoman, on behalf of the Warren County Board of Supervisors do hereby declare Warren County to be a

GREEN LIGHT FOR MILITARY SERVICE COUNTY

and designate October through Veterans Day, November 11th 2021, as a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service, when citizens are encouraged to participate in patriotic tradition by displaying a green light in a window of their place of business or residence to recognize the importance of honoring all those whose immeasurable sacrifices helped to preserve freedom.

DATED: OCTOBER 15, 2021



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

Warren County Board of Supervisors

Proclamation

WHEREAS, the Benjamin D. Osborn Memorial Fund, Inc. was founded in memory of CPL Osborn who was killed in Afghanistan on June 15, 2010 while serving in the United States Army during Operation Enduring Freedom, and

WHEREAS, it is the mission and hope of the Benjamin D. Osborn Memorial Fund, Inc. to work with children in need, ages 5-18, to “give kids a little lift” while encouraging values such as discipline and pride, as CPL Osborn taught through example and selfless sacrifice, and

WHEREAS, since 2010, the Benjamin D. Osborn Memorial Fund, Inc. has helped over 10,000 children in need in 50 schools in Warren, Washington, Saratoga and Essex Counties, providing essential assistance in the form of items such as school supplies, tutoring services, winter clothing items, field trip admission expenses, electronics, musical instruments and classes, eyeglasses, personal hygiene kits to emerging teens, and countless other initiatives, and

WHEREAS, in addition, the Benjamin D. Osborn Memorial Fund, Inc. donates to 12 local food pantries and administers a literacy program which provides books to kids through 20 local Ben’s Book Stations, and

WHEREAS, the Benjamin D. Osborn Memorial Fund, Inc. raises a considerable amount of funding through community involvement and donations received during their annual “Baskets for Ben” event which funds so many of their initiatives, the next of which will be held on October 29, 2021, and

WHEREAS, Warren, Washington, Saratoga and Essex Counties recognize and appreciate the ultimate sacrifice made by CPL Osborn in protecting the life and liberties of others and are thankful for the efforts of the Benjamin D. Osborn Memorial Fund, Inc. which have helped so many in our communities, now, therefore, be it

RESOLVED, that we, the Chairs of the Warren, Washington and Saratoga County Boards of Supervisors come together to jointly proclaim January 21st, CPL Osborn’s birthday, as

CPL BEN OSBORN DAY

in Warren, Washington and Saratoga Counties, and encourage our residents to foster and promote the qualities portrayed by CPL Osborn; to participate in charitable activities such as those undertaken by the Ben Osborne Memorial Fund, Inc.; to support all members of our armed forces; and to remember CPL Ben Osborn and all other members of our military who have made the ultimate sacrifice to protect our freedoms.

DATED: OCTOBER 15, 2021



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



**SAMUEL J. HALL, CHAIRMAN
WASHINGTON COUNTY BOARD OF SUPERVISORS**



**THEODORE KUSNIERZ, CHAIRMAN
SARATOGA COUNTY BOARD OF SUPERVISORS**

Warren County Board of Supervisors

RESOLUTION NO. 414 OF 2021

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

MAKING SUPPLEMENTAL APPROPRIATIONS

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:

FROM CODE		TO CODE		AMOUNT
DEPARTMENT: MENTAL HEALTH/OFFICE OF COMMUNITY SERVICES				
A.4310 410	Mental Health Admin, Supplies	A.4390 435	Psychiatric Exp./ Criminal, Medical Fees	\$1,500.00
A.4310 437	Consulting Fees	A.4390 435		2,800.00
A.4310 444	Travel/Education, Conference	A.4390 435		3,000.00
A.4389 435	Psychtrc. Exp./Non Criminal, Medical Fees	A.4390 435		2,500.00
DEPARTMENT: PUBLIC HEALTH				
A.4010 110	Health Services, Salaries-Regular	A.4018.0030 110	Preventive Program, Disease Control, Salaries-Regular	3,000.00
A.4010 810	Retirement	A.4018.0030 810	Retirement	300.00
A.4010 830	Social Security	A.4018.0030 830	Social Security	186.00
A.4010 831	Medicare Contribution	A.4018.0030 831	Medicare Contribution	45.00
A.4018.0020 110	Preventive Program, Family Health, Salaries-Regular	A.4018.0030 110	Preventive Program, Disease Control, Salaries-Regular	15,000.00
A.4018.0020 810	Retirement	A.4018.0030 810	Retirement	1,500.00
A.4018.0020 830	Social Security	A.4018.0030 830	Social Security	930.00
A.4018.0020 831	Medicare Contribution	A.4018.0030 831	Medicare Contribution	218.00

RESOLUTION No. 414 OF 2021

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FROM CODE		TO CODE		AMOUNT
DEPARTMENT: PUBLIC WORKS				
D.5112. 8233 860	County Road, County Roads, 2015 CR#66 Country Club Road, Hospitalizations	D.9950 910	County Road, Transfers-Capital Projects, Interfund Transfers	\$5.80
D.5112. 8254 280	2016 CR#10 Schroon River Road, Projects			70,248.04
D.5112 .8276 280	2018 CR#78 13 th Lake Road, Projects			635.75
D.5112. 8307 280	2020 CR#27 Federal Hill Road, Projects			8,679.92
D.5112. 8308 280	2020 CR#41 Federal Hill Road, Projects			34,207.77
D.5112. 8309 280	2020 CR#41 North Bolton Road, Projects			54,159.12
D.5112 .8310 280	2020 CR#11b Valley Woods Road, Projects			7,130.48
D.5112 .8315 280	2020 CR#4 Mountain Road, Projects			26,247.70
D.5112 .8316 280	2020 CR#57 South Johnsburg Road, Projects			17,955.77
SPECIAL ITEMS -				
A.1990 469	Contingent Account, Other Payments/ Contributions	A.1010 410	Legislative Board, Supplies	5,000.00

Warren County Board of Supervisors

RESOLUTION NO. 415 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 EMPLOYMENT & TRAINING ADMINISTRATION		
<u>ESTIMATED REVENUE</u>		
40.6293.0300 4791	Workforce Invest Act, WIA/WIOA, Adult, Workforce Invest Act/Workforce Innovation & Opportunity Act	\$219,242.75
40.6293.0305 4791	Dislocated Worker, Workforce Invest Act/Workforce Innovation & Opportunity Act	161,327.08
40.6293.0310 4791	Youth, Workforce Invest Act/Workforce Innovation & Opportunity Act	225,528.73
40.6293.0313 4791	Administrative, Workforce Invest Act/Workforce Innovation & Opportunity Act	67,467.25
<u>APPROPRIATIONS</u>		
40.6293 0300 110	Workforce Invest Act, WIA/WIOA, Adult, Salaries-Regular	103,763.92
40.6293 0300 220	Office Equipment	3,500.00
40.6293 0300 260	Other Equipment	166.58
40.6293 0300 410	Supplies	1,651.67
40.6293 0300 411	Rent-Building/Property	17,764.25
40.6293 0300 421	Equipment Rental	79.96
40.6293 0300 423	Telephone	1,665.78
40.6293 0300 424	Postage	133.26
40.6293 0300 426	Subscriptions	399.79
40.6293 0300 427	Memberships & Dues	249.87

RESOLUTION No. 415 OF 2021

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF EMPLOYMENT & TRAINING ADMINISTRATION -cont.		
<u>APPROPRIATIONS</u>		
40.6293 0300 428	Workforce Invest Act, WIA/WIOA, Adult, Data Processing & Internet Fees	\$1,332.63
40.6293 0300 433	Training-Client	26,500.00
40.6293 0300 434	Allowances	5,286.87
40.6293 0300 439	Misc. Fees & Expenses	999.47
40.6293 0300 444	Travel/Education/Conference	932.84
40.6293 0300 810	Retirement	7,753.46
40.6293 0300 830	Social Security	6,433.36
40.6293 0300 831	Medicare Contribution	1,504.58
40.6293 0300 840	Workmen's Compensation	3,086.15
40.6293 0300 850	Unemployment Insurance	1,566.38
40.6293 0300 855	Disability	13.24
40.6293 0300 860	Hospitalization	23,445.93
40.6293 0300 861	Retirees Hospitalization	10,501.63
40.6293 0300 865	Dental Insurance	511.13
40.6293 0305 110	Workforce Invest Act, WIA/WIOA, Dislocated Worker, Salaries-Regular	74,838.30
40.6293 0305 220	Office Equipment	3,500.00
40.6293 0305 260	Other Equipment	500.75
40.6293 0305 410	Supplies	2,394.30
40.6293 0305 411	Rent-Building/Property	11,921.20
40.6293 0305 421	Equipment Rental	153.66
40.6293 0305 423	Telephone	1,117.87
40.6293 0305 424	Postage	89.43
40.6293 0305 426	Subscriptions	268.29
40.6293 0305 427	Memberships & Dues	295.68
40.6293 0305 428	Data Processing & Internet Fees	894.30
40.6293 0305 433	Training-Client	23,500.00

RESOLUTION No. 415 OF 2021

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF EMPLOYMENT & TRAINING ADMINISTRATION -cont.		
<u>APPROPRIATIONS</u>		
40.6293 0305 434	Workforce Invest Act, WIA/WIOA, Dislocated Worker, Allowances	\$2,713.13
40.6293 0305 439	Misc Fees & Expenses	690.72
40.6293 0305 444	Travel/Education/Conference	655.00
40.6293 0305 810	Retirement	9,778.16
40.6293.0305 830	Social Security	5,639.97
40.6293.0305 831	Medicare Contribution	1,145.06
40.6293.0305 840	Workemen's Compensation	1,583.76
40.6293 0305 850	Unemployment Insurance	1,609.98
40.6293 0305 855	Disability	1,069.95
40.6293 0305 860	Hospitalization	11,316.00
40.6293 0305 861	Retirees Hospitalization	5,389.27
40.6293 0305 865	Dental Insurance	262.30
40.6293 0310 110	Youth, Salaries-Regular	78,023.85
40.6293 0310 130	Salaries-Part Time	51,000.00
40.6293 0310 220	Office Equipment	1,551.37
40.6293 0310 260	Other Equipment	167.28
40.6293 0310 410	Supplies	1,338.25
40.6293 0310 411	Rent-Building/Property	17,839.23
40.6293 0310 421	Equipment Rental	80.30
40.6293 0310 423	Telephone	1,672.81
40.6293 0310 424	Postage	133.83
40.6293 0310 426	Subscriptions	401.48
40.6293 0310 427	Memberships & Dues	250.92
40.6293 0310 428	Data Processing & Internet Fees	1,338.25
40.6293 0310 439	Misc Fees & Expenses	1,003.69
40.6293 0310 444	Travel/Education/Conference	1,236.78
40.6293 0310 470	Contract	15,936.00

RESOLUTION No. 415 OF 2021

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF EMPLOYMENT & TRAINING ADMINISTRATION -cont.		
<u>APPROPRIATIONS</u>		
40.6293 0310 810	Workforce Invest Act, WIA/WIOA, Youth, Retirement	\$6,196.32
40.6293 0310 830	Social Security	7,999.48
40.6293 0310 831	Medicare Contribution	1,870.85
40.6293 0310 840	Workemen's Compensation	2,479.47
40.6293 0310 850	Unemployment Insurance	1,190.01
40.6293 0310 855	Disability	10.64
40.6293 0310 860	Hospitalization	24,960.06
40.6293 0310 861	Retirees Hospitalization	8,437.21
40.6293.0310 865	Dental Insurance	410.65
40.6293.0313 110	Administrative, Salaries-Regular	33,997.71
40.6293.0313 220	Office Equipment	1,000.00
40.6293 0313 260	Other Equipment	133.65
40.6293 0313 410	Supplies	434.82
40.6293 0313 411	Rent-Building/Property	5,796.32
40.6293 0313 421	Equipment Rental	26.08
40.6293 0313 423	Telephone	543.54
40.6293 0313 424	Postage	43.48
40.6293 0313 426	Subscription	130.44
40.6293 0313 427	Memberships & Dues	81.53
40.6293 0313 428	Data Processing & Internet Fees	434.82
40.6293 0313 439	Misc Fees & Expenses	326.12
40.6293 0313 444	Travel/Education/Conference	304.38
40.6293 0313 810	Retirement	10,552.96
40.6293 0313 830	Social Security	3,514.86
40.6293 0313 831	Medicare Contribution	492.97
40.6293 0313 840	Workemen's Compensation	1,032.72
40.6293 0313 850	Unemployment Insurance	640.67

RESOLUTION No. 415 OF 2021

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF EMPLOYMENT & TRAINING ADMINISTRATION -cont.		
<u>APPROPRIATIONS</u>		
40.6293 0313 855	Workforce Invest Act, WIA/WIOA, Administrative, Disability	\$4.43
40.6293 0313 860	Hospitalization	3,514.18
40.6293 0313 861	Retiree Hospitalization	4,290.53
40.6293 0313 865	Dental Insurance	171.04
DEPARTMENT OF PUBLIC HEALTH		
<u>ESTIMATED REVENUE</u>		
A.4010 2705	Health Services, Gifts & Donations	225.00
<u>APPROPRIATIONS</u>		
A.4010 439	Health Services, Misc Fees & Expenses	225.00
DEPARTMENT OF PUBLIC WORKS		
<u>ESTIMATED REVENUE</u>		
D.3310 2680	County Road, Traffic Control, Insurance Recoveries	138.10
D.3310 2680		1,742.50
<u>APPROPRIATIONS</u>		
D.3310 410	County Road, Traffic Control, Supplies	138.10
D.3310 410	Supplies	1,742.50
DEPARTMENT OF SOCIAL SERVICES		
<u>ESTIMATED REVENUE</u>		
A.6010 3610	Social Services, Social Services Admin	3,600.00
A.6010 4610	Social Services, Social Services Admin	10,894.00
A.6010 4610		25,000.00
A.6030 3630	Countryside Adult Home, Adult Care Priv. Inst.	21,150.00

RESOLUTION No. 415 OF 2021

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF SOCIAL SERVICES -cont.		
<u>APPROPRIATIONS</u>		
A.6010 210	Social Services, Furniture/Furnishings	\$2,160.00
A.6010 220	Office Equipment	1,440.00
A.6010 410	Supplies	10,894.00
A.6010 470	Contract	25,000.00
A.6030 210	Countryside Adult Home, Furniture/Furnishings	2,500.00
A.6030 220	Office Equipment	1,000.00
A.6030 230	Automotive Equipment	15,000.00
A.6030 260	Other Equipment	2,650.00

DEPARTMENT OF TELECOMMUNICATIONS

ESTIMATED REVENUE

A.1681 2227	Telecommunications, Telecommunications	5,000.00
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APPROPRIATIONS

A.1681 423	Telecommunications, Telephone	5,000.00
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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. 416 OF 2021

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

**AWARDING BID AND AUTHORIZING AGREEMENT WITH
BASELINE KING CORP. TO REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT
MEMORIAL AIRPORT, WARREN COUNTY, NY (WC 3-21)**

WHEREAS, the Purchasing Agent has advertised for sealed bids to Rehabilitate Taxiway Lights at Floyd Bennett Memorial Airport, Warren County, NY (WC 3-21), and

WHEREAS, the bids were opened on April 30, 2021 and the Superintendent of Public Works has recommended that the bid be awarded to Baseline King Corp., located at 111 Liberty Lane, Barneveld, New York 13304, as the lowest responsible bidder, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Baseline King Corp., located at 111 Liberty Lane, Barneveld, New York 12804, of the acceptance of their bid, 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 Baseline King Corp. relative to Rehabilitate Taxiway Lights at Floyd Bennett Memorial Airport, Warren County, NY, in a form approved by the County Attorney, pursuant to the terms and provisions of the specifications (WC 3-21), for a term commencing upon execution by both parties and terminating upon completion of services, at the prices defined in the attached Schedule "A," and be it further

RESOLVED, that the funds for this agreement shall be expended from Capital Project H.403.9550 280 Rehab Airfield Taxiway Light System, Capital Projects, Projects.

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 3-21</p> <p>ITEM(S): REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NY</p> <p>DATE: APRIL 30, 2021</p> <p>TIME: 3:00 P.M.</p>	<p align="center">NAME & ADDRESS OF BIDDER</p> <p>Baseline King Corp. Attn: James King 111 Liberty Lane Barneveld, NY 13304 Ph: 315-896-6106 Fax: 315-896-8584</p>	<p align="center">NAME & ADDRESS OF BIDDER</p> <p>DLC Electric, LLC. Attn: Ralph Cioffi 479 State Route 40 Troy, NY 12182 Ph: 518-326-8130 Fax: 518-326-8132</p>	<p align="center">NAME & ADDRESS OF BIDDER</p> <p>KOBO Utility Construction Corp. Attn: Rebecca Curtis 4 Victory Drive Sandwich, MA 02563 Ph: 508-367-2058 Fax: 508-888-2224</p>
<p>BID AWARDED TO:</p> <p align="center">RESOLUTION NO. Xxx of 2021</p>			
<p>✓ JULIE A. BUTLER, PURCHASING AGENT</p> <p>TERM: Anticipated start of construction is Fall 2021 or Spring 2022 pending release of Federal funds and availability of materials to complete work. The maximum total time for construction is 67 calendar days.</p>			
<p>PROJECT:</p>	<p align="center">BID PRICE</p>		<p align="center">BID PRICE</p>
<p>BASE BID TOTAL FOR REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NY:</p>	<p align="center">\$226,428.94</p>		<p align="center">\$379,485.80</p>
<p>ITEMIZED BREAKDOWN</p>	<p align="center">UNIT PRICE</p>	<p align="center">UNIT PRICE</p>	<p align="center">UNIT PRICE</p>
<p>Safety and Phasing:</p>	<p align="center">\$10,000.00</p>	<p align="center">\$37,500.00</p>	<p align="center">\$9,500.00</p>
<p>Contractor Provided Construction Barricades:</p>	<p align="center">\$70.00</p>	<p align="center">\$330.00</p>	<p align="center">\$135.00</p>
<p>Taxiway Closure Marker:</p>	<p align="center">\$250.00</p>	<p align="center">\$1,100.00</p>	<p align="center">\$4,850.00</p>
<p>Contractor's Safety Plan Compliance Document (SPCD):</p>	<p align="center">\$2,500.00</p>	<p align="center">\$9,000.00</p>	<p align="center">\$18,900.00</p>
<p>As-Built Plans:</p>	<p align="center">\$3,000.00</p>	<p align="center">\$3,000.00</p>	<p align="center">\$3,000.00</p>
<p>Mobilization:</p>	<p align="center">\$5,000.00</p>	<p align="center">\$10,000.00</p>	<p align="center">\$18,000.00</p>
<p>Engineer/RPR Field Office:</p>	<p align="center">\$3,000.00</p>	<p align="center">\$12,500.00</p>	<p align="center">\$16,580.00</p>
	<p align="center">TOTAL</p>	<p align="center">TOTAL</p>	<p align="center">TOTAL</p>

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 3-21 ITEM(S): REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NY DATE: APRIL 30, 2021 TIME: 3:00 P.M.</p>	<p>NAME & ADDRESS OF BIDDER O'Connell Electric Company, Inc. Attn: Dave Poucher 830 Phillips Road Victor, NY 14564 Ph: 518-612-8233 Fax: 518-365-1652</p>	<p>NAME & ADDRESS OF BIDDER LaCorte Companies, Inc. Attn: Eileen LaCorte 630 7th Avenue Troy, NY 12182 Ph: 518-286-6000 Fax: 518-286-6110</p>	
<p>PROJECT:</p>	<p>BID PRICE</p>	<p>BID PRICE</p>	
<p>BASE BID TOTAL FOR REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NY:</p>	<p>\$414,420.88 (math error should be \$414,404.88)</p>	<p>\$1,278,180.08 (math error should be \$1,278,245.33)</p>	
<p>ITEMIZED BREAKDOWN</p>	<p>UNIT PRICE</p>	<p>UNIT PRICE</p>	<p>TOTAL</p>
<p>Safety and Phasing:</p>	<p>\$32,180.00</p>	<p>\$38,950.00</p>	<p>\$38,950.00</p>
<p>Contractor Provided Construction Barricades:</p>	<p>\$156.00</p>	<p>\$839.01</p>	<p>\$119,140.00 (math error should be \$119,139.42)</p>
<p>Taxiway Closure Marker:</p>	<p>\$1,125.00</p>	<p>\$10,050.00</p>	<p>\$20,100.00</p>
<p>Contractor's Safety Plan Compliance Document (SPCD):</p>	<p>\$4,440.00</p>	<p>\$42,700.00</p>	<p>\$42,700.00</p>
<p>As-Built Plans:</p>	<p>\$3,000.00</p>	<p>\$3,000.00</p>	<p>\$3,000.00</p>
<p>Mobilization:</p>	<p>\$8,170.00</p>	<p>\$43,950.00</p>	<p>\$43,950.00</p>
<p>Engineer/RPR Field Office:</p>	<p>\$0.00</p>	<p>\$10,000.00</p>	<p>\$10,000.00</p>

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 3-21 ITEM(S): REHABILITATE TAXIWAY LIGHTS AT FLOYD BENNETT MEMORIAL AIRPORT, WARREN COUNTY, NY DATE: APRIL 30, 2021 TIME: 3:00 P.M.</p>	<p>NAME & ADDRESS OF BIDDER</p>	<p>NAME & ADDRESS OF BIDDER</p>
<p>PROJECT:</p>	<p>BID PRICE</p>	
<p>Cable Removal:</p>	<p>\$1.85</p>	<p>\$5.59</p>
<p>Removal of Existing Light Fixture:</p>	<p>\$41,160.00 (math error should be \$41,144.00)</p>	<p>\$124,333.00 (math error should be \$124,321.60)</p>
<p>No. 8 AWG, 5KV, L-824, Type C Cable, Installed in Duct Bank or Conduit:</p>	<p>\$140.00</p>	<p>\$30,196.25</p>
<p>Work in Existing Electrical Vault:</p>	<p>\$4.02</p>	<p>\$9.24</p>
<p>New L-861 (L) T LED Taxiway Edge Light Mounted in Existing Base:</p>	<p>\$40,000.00</p>	<p>\$285,383.33 (math error should be \$285,460.56)</p>
<p>Spare Equipment:</p>	<p>\$40,000.00</p>	<p>\$64,750.00</p>
<p>TOTAL BASE BID:</p>	<p>\$485.00</p>	<p>\$2,392.50</p>
<p></p>	<p>\$10,000.00</p>	<p>\$10,000.00</p>
<p></p>	<p>\$414,420.88 (math error should be \$414,404.88)</p>	<p>\$1,278,180.08 (math error should be \$1,278,245.33)</p>

Warren County Board of Supervisors

RESOLUTION NO. 417 OF 2021

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

AUTHORIZING AGREEMENT WITH JACOBS CIVIL CONSULTANTS, INC. TO PROVIDE CONSULTING SERVICES FOR THE CONSTRUCTION INSPECTION/CONSTRUCTION OBSERVATION FOR THE REHABILITATION OF TAXIWAY LIGHTING PROJECT AT THE WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT

WHEREAS, the Superintendent of Public Works is requesting that Warren County enter into an agreement with Jacobs Civil Consultants, Inc., 500 7th Avenue, 17th Floor, New York, New York 10018 to provide consulting services for the construction inspection/construction observation related to the rehabilitation of taxiway lighting project at the Warren County (Floyd Bennett Memorial) Airport, for an amount not to exceed Thirty-Five Thousand Five Hundred Thirty-Eight Dollars and Eighty-Four Cents (\$35,538.84) for a term commencing upon execution of the agreement by both parties and terminating upon completion of services, 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 Jacobs Civil Consultants, Inc., to provide consulting services for the construction inspection/construction observation related to the rehabilitation of taxiway lighting project at the Warren County (Floyd Bennett Memorial Airport) for an amount not to exceed Thirty-Five Thousand Five Hundred Thirty-Eight Dollars and Eighty-Four Cents (\$35,538.84) for a term commencing upon execution of the agreement by both parties and terminating upon completion of services, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from Capital Project H.403.9550 280 Rehab Airfield Taxiway Light System, Capital Projects, Projects.

Warren County Board of Supervisors

RESOLUTION NO. 418 OF 2021

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

AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN WARREN COUNTY AND THE TOWN OF QUEENSBURY FOR REIMBURSEMENT OF PAYROLL EXPENSES INCURRED DURING THE 2021 ADIRONDACK HOT AIR BALLOON FESTIVAL AT THE WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT

WHEREAS, the Superintendent of Public Works is requesting the County enter into a Memorandum of Understanding with the Town of Queensbury to provide reimbursement to the Town for payroll expenses as a result of providing staff support during the 2021 Adirondack Hot Air Balloon Festival at the Warren County (Floyd Bennett Memorial) Airport, and

WHEREAS, the Town of Queensbury agreed to provide town highway personnel to assist with filling vacant shifts to remove trash, control traffic and park cars on the access roads and runways during the 2021 Adirondack Hot Air Balloon Festival, and

WHEREAS, the Town of Queensbury has delivered to the Superintendent of Public Works an accounting of the payroll expenses incurred by providing the assistance of Town staff during the 2021 Adirondack Hot Air Balloon Festival, reflecting a total cost of Three Thousand Seven Hundred Five Dollars and Ninety-One Cents now, therefore, be it

RESOLVED, that the Superintendent of Public Works be, and hereby is, authorized to execute a Memorandum of Understanding with the Town of Queensbury for reimbursement of payroll expenses incurred as a result of providing staff to fill vacant shifts during the 2021 Adirondack Hot Air Balloon Festival, in a form approved by the County Attorney, and be it further

RESOLVED, that the Memorandum of Understanding will commence upon execution by both parties and terminate upon payment of an invoice from the Town of Queensbury for an amount not to exceed Three Thousand Seven Hundred Five Dollars and Ninety-One Cents (\$3,705.91), and be it further

RESOLVED, that the funds for this invoice will be expended from Budget Code A.5610 470, Airport, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 419 OF 2021

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

AMENDING RESOLUTION NO. 123 OF 2021, “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”, TO AUTHORIZE CHAIR OF THE BOARD OF SUPERVISORS TO ACCEPT THE GRANT AWARD AND EXECUTE THE GRANT AGREEMENT(S) AND ANY AND ALL OTHER NECESSARY DOCUMENTS RELATING TO SAID AGREEMENT

WHEREAS, pursuant to Resolution No. 123 of 2021, the Chair of the Board of Supervisors was authorized to execute 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, and

WHEREAS, the Economic Growth & Development Committee has approved a request that Resolution No. 123 of 2021 be amended to include provisions authorizing the Chair of the Board of Supervisors to accept the grant award and execute the grant agreement(s) with the New York State Housing Trust Fund Corporation, Office of Community Renewal, for Community Development Block Grant Funding and any and all other necessary documents relating to said agreement, now, therefore, be it

RESOLVED, that Resolution No. 123 of 2021 be, and hereby is, amended to include that the Chair of the Board of Supervisors is authorized to accept the grant award and execute the grant agreement(s) with the New York State Housing Trust Fund Corporation, Office of Community Renewal, for Community Development Block Grant Funding and any and all other necessary documents relating to said agreement, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 123 of 2021 will remain the same.

Warren County Board of Supervisors

RESOLUTION No. 420 OF 2021

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

**ESTABLISHING A SPECIAL COMMITTEE ENTITLED “ARPA ADVISORY COMMITTEE”
AND APPOINTING MEMBERS OF SAME**

RESOLVED, that the Warren County Board of Supervisors does hereby establish a Special Committee entitled ARPA Advisory Committee and appointing members as listed on Schedule “A” annexed hereto, and made a part hereof, effective October 15, 2021.

RESOLUTION No. 420 OF 2021

PAGE 2 OF 2

SCHEDULE "A"

ARPA ADVISORY COMMITTEE

NAME	TITLE/ADDRESS
Andrea Hogan (Chair)	Supervisor, Town of Johnsburg
Ray Agnew	Glens Falls Hospital
Beth Gilles	Lake Champlain-Lake George Regional Planning Board
Michael Bittel	ARCC
Frank Thomas	Supervisor, Town of Stony Creek
Douglas Beaty	Supervisor, Town of Queensbury
Claudia Braymer	Supervisor, City of Glens Falls
Michael Wild	Supervisor, Town of Queensbury
Rachel Seeber	Chairwoman, Board of Supervisors
Ryan Moore	County Administrator, Warren County
Michael Swan	County Treasurer, Warren County
Wayne E. LaMothe	County Planner, Warren County
Ethan Gaddy	Assistant County Planner, Warren County

Warren County Board of Supervisors

RESOLUTION NO. 421 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, BRAYMER, MCDEVITT, SMITH AND SHEPLER

AMENDING RESOLUTION NO. 362 OF 2020, “APPROVING AND ADOPTING THE WARREN COUNTY REAL ESTATE AUCTION 2021 TERMS AND CONDITIONS OF SALE APPLICABLE TO THE SALE OF PARCELS ACQUIRED BY THE COUNTY BY REASON OF THE FORECLOSURE OF TAX LIENS”, TO UPDATE THE BUYER’S PREMIUM AMOUNT

WHEREAS, the County has adopted terms and conditions of sale applicable to those parcels acquired by the County by reason of the foreclosure of tax liens, said terms being last amended by Resolution Nos. 379 of 2011, 514 of 2012, 485 of 2013, 236 of 2014, 378 of 2014, 339 of 2019 and 362 of 2020, and

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

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

Warren County Board of Supervisors

RESOLUTION NO. 422 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, BRAYMER, MCDEVITT, SMITH AND SHEPLER

AUTHORIZING AGREEMENT WITH THE NEW YORK STATE ENVIRONMENTAL PROTECTION AND SPILL COMPENSATION FUND CONCERNING PETROLEUM CONTAMINATION AT TOWN OF JOHNSBURG TAX MAP PARCEL NO. 133.8-1-27

WHEREAS, Warren County, through its tax foreclosure process, plans to foreclose upon Parcel No. 133.8-1-27, located in the Town of Johnsbury, Warren County, New York, and

WHEREAS, the New York State Environmental Protection and Spill Compensation Fund (“Fund”) alleges that the absent owner or its predecessor has discharged petroleum on the property in violation of Navigation Law §173 and the absent owner or its predecessor is liable, without regard to fault, for all cleanup and removal costs pursuant to Navigation Law §181, and

WHEREAS, the existing structure on said parcel, currently known as Mosher’s Garage, will be removed by Warren County, which will enable the NYSDEC to conduct remediation under the existing structure, and

WHEREAS, Warren County, without admitting or denying the allegations made and the violations described here, agrees to enter into an agreement to have the New York State Environmental Protection and Spill Compensation Fund address the petroleum contamination at, arising from, or relating to this property, and

WHEREAS, the County has paid to the Fund Fifteen Thousand Dollars (\$15,000) in consideration for the release of liability as set forth in the agreement, now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute an agreement with the New York State Environmental Protection and Spill Compensation Fund concerning necessary remediation of the petroleum contamination at and migrating from the Site, known as Parcel No. 133.8-1-27 located in the Town of Johnsbury with terms of the agreement including payment by Warren County of remedial costs incurred on the property in an amount not to exceed Fifteen Thousand Dollars (\$15,000), that was previously paid in October, 2018, after the first portion of remediation was completed, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 423 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, BRAYMER, MCDEVITT, SMITH AND SHEPLER

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF JOHNSBURG RELATIVE TO THE FUTURE SALE OF TAX MAP PARCEL NO. 133.8-1-27

WHEREAS, Tax Map Parcel No. 133.8-1-27 in the Town of Johnsburg, known as the Mosher's Garage, will be going into foreclosure at a date to be determined, and

WHEREAS, the New York State Environmental Protection and Spill Compensation Fund ("Fund") will be completing necessary remediation of the petroleum contamination at and migrating from the Site known as Tax Map Parcel No. 133.8-1-27 so the property can be sold, and

WHEREAS, the Fund requires Warren County to enter into an intermunicipal agreement with the Town of Johnsburg to show that the Town of Johnsburg is planning on purchasing Tax Map Parcel No. 133.8-1-27 for one-third (1/3) of its value, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an intermunicipal agreement with the Town of Johnsburg to purchase Tax Map Parcel No. 133.8-1-27, known as Mosher's Garage, after foreclosure proceedings and the final remediation have occurred.

Warren County Board of Supervisors

RESOLUTION NO. 424 OF 2021

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

ADOPTING THE REVISED 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 revised 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

Purchasing Policy and Procedures Manual Index

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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).

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".

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.

The following language shall be included in all solicitations involving NYS and/or Federal Funding:

To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of an individual's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000 whereby the owner of a County assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative

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will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the County contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (iii) banking services, insurance policies or the sale of securities. The County shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

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

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- 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”

§ 200.318 - General procurement standards.

(a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or 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 or her immediate family, his or her partner, or an organization which employs 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 a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must 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 other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to 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 non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also § 200.214.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of

contract type, contractor selection or rejection, and the basis for the contract price.

(j)(1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone 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 non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[85 FR 49543, Aug. 13, 2020, as amended at 86 FR 10440, Feb. 22, 2021]

§ 200.319 - Competition.

(a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.

(b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in

this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

(f) Noncompetitive procurements can only be awarded in accordance with § 200.320(c).

§ 200.320 - Methods of procurement to be followed.

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) *Informal procurement methods.* When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition threshold (SAT)*, as defined in § 200.1, or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) *Micro-purchases - (i) Distribution.* The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of *micro-purchase* in § 200.1). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) *Micro-purchase awards.* Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) *Micro-purchase thresholds.* The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold

higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

(iv) *Non-Federal entity increase to the micro-purchase threshold up to \$50,000.* Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

- (A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;
- (B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
- (C) For public institutions, a higher threshold consistent with State law.

(v) *Non-Federal entity increase to the micro-purchase threshold over \$50,000.* Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

(2) *Small purchases - (i) Small purchase procedures.* The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) *Simplified acquisition thresholds.* The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) *Formal procurement methods.* When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) *Sealed bids.* A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

- (A) A complete, adequate, and realistic specification or purchase description is available;
- (B) Two or more responsible bidders are willing and able to compete effectively for the business; and
- (C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) *Proposals.* A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and

(iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.

(c) *Noncompetitive procurement.* There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

(1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);

(2) The item is available only from a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

(4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or

(5) After solicitation of a number of sources, competition is determined inadequate.

§ 200.321 - Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's 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 women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

§ 200.322 - Domestic preferences for procurements.

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

- (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

§ 200.323 - Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste

management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

§ 200.324 - Contract cost and price.

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold 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 non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) 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 non-Federal entity under subpart E of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§ 200.325 - Federal awarding agency or pass-through entity review.

(a) The non-Federal entity must 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 to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§ 200.326 - Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

Warren County Board of Supervisors

RESOLUTION NO. 425 OF 2021

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

AUTHORIZING AGREEMENT WITH LAURA SULLIVAN TO PROVIDE OCCUPATIONAL SERVICES FOR COMMITTEE PRESCHOOL SPECIAL EDUCATION (CPSE) SERVICES AND EARLY INTERVENTION PROGRAMS TO ELIGIBLE WARREN COUNTY CHILDREN

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with Laura Sullivan, to provide Occupational Services for Committee Preschool Special Education (CPSE) Services and Early Intervention Programs to eligible Warren County children, for a term commencing October 15, 2021 and terminating upon thirty (30) days written notice, in a form approved by the County Attorney, and be it further

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

Warren County Board of Supervisors

RESOLUTION No. 426 OF 2021

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

ACCEPTING DONATION FROM AN ANONYMOUS SOURCE IN MEMORY OF A PATIENT

RESOLVED, that Warren County, on behalf of the Health Services Department, accepts multiple donations in a total amount of Two Hundred Twenty-Five Dollars (\$225) to the Homecare Division from anonymous sources in memory of a patient.

Warren County Board of Supervisors

RESOLUTION NO. 427 OF 2021

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

AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS AND THE WARREN COUNTY TREASURER TO EXECUTE AN APPLICATION FOR YOUTH PROGRAM FUNDS FROM THE NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES AS OUTLINED IN THE 2021 RESOURCE ALLOCATION PLAN

WHEREAS, the Comprehensive Plan for Youth Services requires that the Resource Allocation Plan be prepared annually, which Plan is comprised of Warren County's program and project applications for youth service funds, and

WHEREAS, the Human Services Committee, as well as the Youth Board have recommended the State Aid resources for youth projects in 2021 be allocated as outlined in the Resource Allocation Plan, in a total amount of Fifty-Four Thousand Seven Hundred Twenty-Seven Dollars (\$54,727) and

WHEREAS, these documents have been prepared according to the Rules and Regulations of the New York State Office of Children & Family Services, now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to submit an application to the New York State Office of Children & Family Services for the 2021 Resource Allocation Plan and upon notification of approval of the availability of State funds, the Chair of the Board of Supervisors and the County Treasurer be, and hereby are, authorized to execute the Warren County Comprehensive Planning Resource Allocation Agreement for 2021 and any and all documents required to implement the Resource Allocation Plan, and all agreements within the scope of such plan to qualify Warren County for State reimbursement for youth programs in 2021.

Warren County Board of Supervisors

RESOLUTION NO. 428 OF 2021

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

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

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with the Council for Prevention of Alcohol and Substance Abuse, Inc., 10 LaCross Street, Hudson Falls, New York 12839, to provide a Youth Court Program, for an amount not to exceed Sixty Thousand Dollars (\$60,000), for a term commencing January 1, 2021 and terminating December 31, 2021, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.7313 470 Youth Court, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 429 OF 2021

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

AUTHORIZING AGREEMENTS BETWEEN WARREN COUNTY AND THE TOWNS OF WARREN COUNTY FOR REIMBURSEMENT OF A PORTION OF THE COSTS FOR RECREATIONAL PROGRAMS

WHEREAS, the New York State Office of Children & Family Services provided an allocation to reimburse Warren County in an amount of Twenty-Two Thousand Seventy Dollars (\$22,070) for the year 2021 to be divided by the costs to the Towns for recreational programs, and

WHEREAS, the Commissioner of Social Services has requested that Warren County enter into individual agreements with each Town not to exceed the following amounts:

Town of Bolton - \$1,275	Town of Chester - \$2,375
City of Glens Falls - \$3,375	Town of Hague - \$1,325
Town of Horicon - \$1,375	Town of Johnsburg - \$1,435
Town of Lake George - \$1,435	Town of Lake Luzerne - \$1,625
Town of Queensbury - \$3,375	Town of Stony Creek - \$1,325
Town of Thurman - \$1,375	Town of Warrensburg - \$1,775,

now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to enter into individual Memorandums of Agreement with the Towns in the amounts as set forth above, in a form approved by the County Attorney, with funding for these agreements to be expended from Budget Code A.7312 470 - Special Delinquency Prevention, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 430 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, MAGOWAN, FRASIER, BRUNO, LEGGETT, SMITH AND THOMAS

INTRODUCING PROPOSED LOCAL LAW NO. 7 OF 2021, ENTITLED “SEPTIC INSPECTION UPON TRANSFER”, AND AUTHORIZING PUBLIC HEARINGS THEREON

RESOLVED, that proposed Local Law No. 7 of 2021 entitled “Septic Inspection Upon Transfer”, attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold two (2) public hearings on the matter of the adoption of said proposed Local Law No. 7 of 2021 which shall be held:

1. Through a special meeting of the Proposed Septic Inspection at Transfer Committee, to be held on November 17, 2021 at 7:00 p.m. at the Lake George Town Hall, 20 Old Post Road Lake George, NY 12845; and
2. During the next regular meeting of the Board of Supervisors, to be held on November 19, 2021 at 10:00 a.m. in the Supervisors’ Room at the Warren County Municipal Center 1340 State Route 9 Queensbury, NY 12845

and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearings in the manner provided by law.

**COUNTY OF WARREN
LOCAL LAW NO. 7 OF 2021**

SEPTIC INSPECTION UPON TRANSFER

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 known as “Septic Inspection Upon Transfer” Law.

SECTION 2. Statutory Authority. Enactment of this County Law is pursuant to powers vested in the Warren County Board of Supervisors pursuant to the provisions of New York State County Law, New York State General Municipal Law, New York State Home Rule Law, and New York State Public Health Law.

SECTION 3. Intent and Findings. The intent of this County Law is to protect groundwater, surface water bodies and soils from contaminating exposure to excess nutrients and pollutants. Warren County finds that due to inadequate design, maintenance or operation, all septic systems have the potential to contribute pollution and harmful nutrients to the waters of Warren County. In addition, such septic systems pose a threat to public health with particularly acute impacts upon the general public through contaminated drinking water and can create widespread negative environmental impacts impairing recreational opportunities and contaminating precious ecological resources within Warren County.

SECTION 4. Applicability. This County Law shall apply to all developed real property that is located within two hundred fifty feet (250) of the mean high water mark of the water bodies specified in Appendix A and serviced by an Onsite Wastewater Treatment System (“OWTS”), regardless of the distance of the OWTS from the water body, unless exempted by section H of this County Law. This County Law shall not apply in the City of Glens Falls, which has its own sanitary code enforcement office and few, if any, properties without sewer service. This County Law shall not apply in the Towns of Bolton, Queensbury, and any other municipality that maintain and enforce local laws regarding septic inspections upon transfer of real properties by the time of the effective date of this County Law. The County Law shall not apply to any municipality whose governing body passes a resolution to opt-out and not be subject to the provisions of this County Law prior to its effective date.

SECTION 5. Compliance Required. Except where specifically exempted by the provisions hereof, or otherwise exempted by the application of a Federal or State law, this County Law shall apply to all conveyances of real property title by deed or testamentary instrument transferring ownership of a developed real property serviced by a septic system where those premises are not exclusively serviced by a municipal

sewer line and the septic system servicing the developed real property is located wholly or partially within Warren County, New York.

SECTION 6. Definitions. The following meaning shall be ascribed to the words or phrases specific to this County Law:

1. **Conveyance.** The transfer of ownership of real property by a deed instrument or by a testamentary instrument.
2. **Developed property.** Real property which has been altered from its natural state by the creation or addition of any buildings, structures, pavement, excavation, or other improvements.
3. **Qualified Inspector.** A natural person, corporation or similar business entity who:
 - a) by authority, certification or license “in good standing” granted by the State of New York is a professional engineer, or septic system engineer/designer, or
 - b) by current certification, training or licensing in the discipline(s) of septic system design, septic installation and/or septic inspection such inspector has been trained by the New York Onsite Wastewater Treatment Training Network, Inc. (OTN), or equivalent training recognized by the New York State Department of Health of the New York State Department of Environmental Conservation, or
 - c) by current certification, training or licensing such inspector is qualified in the discipline of home inspections encompassing training in septic system inspections issued by the New York State Department of State, Division of Licensing Services, or
 - d) by current certification, training or licensing in the discipline of septic system design or septic system inspections such inspector is approved or authorized by the New York State Department of Health or the New York State Department of Environmental Conservation.
4. **OWTS Inspection.** A professional assessment of an onsite waste water treatment system, occurring in advance of the transfer of ownership to real property by deed or testamentary instrument to a new owner being conducted by a Qualified Inspector for the purposes of determining a septic system’s substantial satisfactory performance in compliance with the applicable New York State Department of Health Appendix 75-A and any local municipal requirements then in effect at the time of the permitted installation of the septic system.
5. **Septic system.** Any self-contained, underground, onsite wastewater devices or processes designed or installed for the collection and treatment of household, commercial or industrial effluents and/or sewage and where a municipal sewer service connection is not utilized at the developed real property. Also referred to in this Local Law as an OWTS.
6. **Wastewater.** Any water discharged through a plumbing fixture to include, but not limited to, sewage and any water or waste from a device (e.g. water softener brine) which is produced in the house or property.

SECTION 7. Inspection Prior to Conveyance of Real Property:

1. Prior to any conveyance of developed real property where the property utilizes an On-site Wastewater Treatment System (“OWTS”), the OWTS shall be inspected by a Qualified Inspector who shall certify in a written inspection report to the Warren County Fire Prevention and Building Code Enforcement Department (referred to hereafter as the “Code Enforcement Department”), the pre-conveyance condition(s) of the inspected OWTS. The form for the written inspection report shall be available from the Code Enforcement Department. The Cost of the inspection shall be paid by the property owner.

2. The inspection report shall be on a form provided by the Code Enforcement Department shall include the following items:
 - a) The Location of the wastewater treatment system, including street address and tax map number of the developed real property.
 - b) A general description of the wastewater treatment system.
 - c) The dates of system construction and subsequent repairs or alterations to the system.
 - d) A list of the wastewater generating fixtures which discharge into the system, and the number of bedrooms on the property that are served by the OWTS.
 - e) A list of the distances from the property's seepage pits, leaching facilities from adjacent wells, and water bodies, if known.
 - f) For a system with a valid State Pollution Discharge Elimination System (SPDES) permit, a copy of the current permit.
 - g) Other information as may be necessary for the Code Enforcement Department to evaluate the written inspection report.
3. The OWTS inspection shall include a septic tank pump out by a New York State Department of Environmental Conservation registered septic hauler and all seepage pits and septic drain field distribution boxes accepting effluent from a septic tank must be uncovered and opened by the property owner or his or her agent prior to the inspection. The septic tank pump out and OWTS inspection shall be arranged by the property owner as early in the real property conveyance process as possible in order to secure an accurate and timely inspection of the OWTS.
4. The OWTS inspection shall utilize and conform to the rules, regulations, and standards promulgated by the New York State Department of Environmental Conservation and the New York State Department of Health, and the training materials for the New York On-site Wastewater Treatment Training Network, and where applicable the Adirondack Park Agency, pertaining to the construction, operation, maintenance, and inspection of residential and commercial on-site wastewater treatment systems. The following minimum standards shall apply to each OWTS inspection:
 - a) A residential OWTS shall be in substantial compliance with the APPENDIX 75A of the New York State Department of Health Waste Water Treatment Standards for Residential onsite wastewater treatment systems and any local municipal requirements then in effect at the time of the permitted installation of the septic system.
 - b) Where required by law, an OWTS shall be in compliance with any New York State Pollutant discharge Elimination System (SPDES) Permit or permit issued by New York State Department of Health issued for the real property.
 - c) Where an OWTS has been determined after an inspection to be failing or inadequate, the Qualified Inspector shall notify the Code Enforcement Department the Code Enforcement Department shall issue a written notice of violation and order to remedy to the real property owner, a copy of said written notice of violation and order to remedy shall also be sent to the Town where the OWTS is located. A compliance agreement between the Code Enforcement Department and the record owner, demonstrating a plan to correct each OWTS failure or deficiency shall be required prior to the conveyance of real property. The remediation plan shall be prepared by the record owner of real property or the owner's designee, vendee or consultant. Implementation of the remediation plan may require state and/or local approval, including approval from the local Board of Health where the OWTS is located. In addition, implementation of the remediation plan may require a septic system that is designed by a licensed engineer per state and/or local requirements. Warren County Building Codes Department may engage an engineering consultant to review the remediation plan. The cost

- of an engineer's review and report, in the furtherance of resolving a notice of violation and order to remedy shall be at the expense of the record owner of the property unless otherwise allocated between the parties to the real property conveyance. The County shall be entitled to reimbursement for the engineer's review and report in resolving a notice of violation and order to remedy prior to the issuance of any Certificate of Satisfactory Septic Inspection.
5. No transfer of title of any developed real property subject to this County Law shall be considered complete and in compliance with the requirements of this County Law, until and unless:
 - a) the owner/seller/transferor has obtained, from the Code Enforcement Department a Certificate of Satisfactory Septic Inspection demonstrating satisfactory compliance with this County Law, or
 - b) the owner/seller/transferor has obtained a variance from any requirement imposed hereunder issued by the County in accordance with the provisions of this County Law, or
 - c) the owner/seller/transferor has obtained a written approval for a deferral issued by the Code Enforcement Department in accordance with the provisions of this County Law, or
 - d) the conveyance is exempt from the pre-closing real property conveyance inspection requirements and the owner/seller/transferor qualifies within all applicable provisions for exemption as set forth in this County Law.
 6. It shall be a violation of this County Law not to substantially conform to the OWTS inspection requirements specified herein. After the fact compliance in conformity with the requirements of this County Law shall be the obligation of the new owner of record of the real property whereby in good faith and under circumstances of oversight, lack of notice or other legitimate reason a pre-closing OWTS inspection and satisfactory result did not occur prior to a real estate closing and transfer of title. Under such circumstances the new owner of the real property shall comply within one hundred twenty (120) days after notification from the County specifying all compliance requirements. Failure to comply with the requirements of this County Law shall constitute a violation.
 7. Upon receiving proof of a satisfactory OWTS inspection, Code Enforcement Department shall issue in the name of the current property owner a written Certificate of Satisfactory Septic Inspection confirming that the OWTS has been inspected and the results of such inspection are in substantial conformity with the requirements of this County Law. A copy of said Certificate of Satisfactory Septic Inspection shall also be sent to the Town where the OWTS is located. Issuance of such a written certification dated within three years prior to the actual conveyance of the developed real property shall constitute presumptive proof of compliance with this County Law.

SECTION 8. Exemption and/or Deferrals. Conveyances of developed real property may be eligible exempt of eligible for a deferral from the provisions of this County Law in the following situations identified below:

1. When the real property to be conveyed is not intended to be inhabited, and the owner plans to demolish each structure served by an existing OWTS, the property owner may receive an exemption from this Law. To qualify for an exemption under these circumstances the property owner (or purchaser) shall provide a signed, notarized affidavit to the Code Enforcement Department certifying that:

- a) any existing structure on the real property will not be inhabited and each dwelling shall be demolished with no plans to rebuild, or
 - b) the structure(s) on the real property will not be inhabited, will be demolished and rebuilt in conformity with current OWTS requirements. A copy of the building permit application providing adequate detail sufficient to demonstrate a proposed compliant OWTS must accompany the affidavit.
2. A temporary deferral of the time requirements for an OWTS inspection or post inspection, repair or replacement may be authorized in writing by the Code Enforcement Department due to winter weather conditions or other constraints. To obtain a temporary deferral, the new owner/transferee must submit an affidavit to the Code Enforcement Department a notarized affidavit promising to obtain a complete and satisfactory OWTS inspection within six (6) months after the date of the conveyance of the real property.
 3. Where the real property with an OWTS system is being conveyed from the County of Warren, a trustee in bankruptcy, a court appointed receiver, a court appointed referee, or upon execution by a judgment creditor in a Sheriff's sale, the new owner, purchaser or transferee, shall assume the obligations imposed by this County Law and compliance shall be required within six (6) months after the recording of the instrument of conveyance.
 4. An OWTS inspection shall not be required as a pre-requisite to any conveyance when the Code Enforcement Department records contain an existing Certificate of Satisfactory Septic Inspection, or other OWTS inspection record of the developed real property's OWTS system having satisfied all of the requirements of this County Law, or a septic permit issued and approved and on file with the applicable local municipality evidencing satisfactory inspection or new installation, within a period of three (3) years prior to the date of the proposed conveyance of the same property.
 5. Where there is an existing OWTS on developed real property and the existing OWTS will be terminated, and the developed real property is to be connected to an existing and available municipal sewer service, and the municipal sewer service connection shall occur prior to or simultaneously with the conveyance of the real property, no OWTS Inspection shall be required and the property owner shall undertake a prompt removal of all existing OWTS components, and prompt remediation of the real property and structures so that the OWTS cannot be used in the future.
 6. Where there is an existing OWTS on developed real property that is located within two hundred fifty feet (250') of the mean high water mark of the water bodies specified in Appendix A, but the OWTS itself is located more than 250' from the mean high water mark of the waterbody, then an OWTS Inspection shall not be required provided that the property owner submits to the Code Enforcement Department a letter from a licensed engineer certifying that the OWTS is more than 250' from the mean high water mark of any waterbody specified in Appendix A.

Upon a failure to complete any required OWTS inspection; or any failure to complete all OWTS repairs/installation requirements identified by the OWTS inspection within the time specified or any subsequent deadline extended in writing by the Code Enforcement Department, the County may pursue all enforcement opportunities available to the County, including all remedies available in law or equity.

SECTION 9. Failure of OWTS. The inspected OWTS shall be deemed to be failing or be a substantial failure and/or the OWTS shall be considered a substantially non-compliant OWTS if the OWTS fails to meet the New York State Department of Health and/or New York State Department of Environmental Conservation standards for an OWTS of the kind inspected. A non-compliant or substantially unsatisfactory OWTS includes the following examples:

1. Lack of a pre-treatment vessel (e.g. no septic tank, no aerobic treatment unit, no ETU, etc.) prior to effluent discharge to any subsurface treatment (soil treatment area or absorption field);
2. Where there is a discharge of effluent directly or indirectly to the ground's surface, with surface breakouts, ponding or saturated soil areas;
3. Where there is a direct pipe surface discharge of grey water (into a drywell, over an embankment, into a roadside ditch or stream/tributary, etc.);
4. Where a dye test results in the presence of dye on the ground surface or found in an adjacent/downstream water body;
5. Where there is a backup of sewage into the dwelling, building, septic tank or facility as a result of a system overload or malfunction, or a clogged soil treatment area;
6. Where the existing septic tank requires pumping more than four times per year and/or sewage, septage of effluent is observed upon inspection flowing back into the septic tank from the secondary treatment area during pump out;
7. The presence of a metal septic tank;
8. The presence of a cesspool, defined as a covered hole or pit used to receive untreated sewage from any occupied structure being utilized as a primary source of wastewater disposal;
9. The presence of a holding tank that discharges effluent to surrounding sub-surface areas;
10. Where a septic tank, seepage pit, enhanced treatment unit (ETU) or soil treatment area (STA) upon inspection is found to be discharging to any outlet;
11. Every substantial failure or substantial non-conformity with the requirements of New York State Department of Health Appendix 75A or local municipal regulations, such as if the size of the septic tank is less than 75% of the required capacity, or if a setback from the OWTS to surface waters, wells or buildings is less than 75% of the required distances;
12. Every substantial failure or substantial non-conformity with the requirement of a validly issued and current SPDES permit or New York State Department of Health approval permit.

SECTION 10. Access to Parcel for Inspection. The Code Enforcement Department, upon reasonable notice and during regular business hours, unless required by emergency circumstances, shall be presumed to be authorized by the real property owner to enter the premises in order to determine compliance with this County Law.

SECTION 11. Administrative Review. Appeals of any written determination of any County official or their agents and/or requests for a variance from the strict application of the requirements of this County Law shall be considered by the County Facilities Committee ("Committee") or, if said committee does not exist, then the committee responsible for oversight of the Code Enforcement Department shall consider appeals and requests for a variance from the strict application of this County Law.

1. An administrative appeal shall be presented within sixty (60) days after the determination to be appealed is issued. The written appeal or request for a variance shall state the grounds for the relief sought (note that this County Law is not intended to authorize the Committee to grant variances from the requirements of New York State Department of Health Appendix 75A or local municipal regulations). Each appeal and variance request submitted to the Committee shall be served upon the Code Enforcement Department by mail to: Administrator, Warren County Fire Prevention and Building Code Enforcement Department, Warren County Human Services Building, 1340 Route 9, Lake George, New York 12845. There is no fee for submitting an appeal or a request for a variance.
2. The Committee shall conduct a public hearing, upon ten (10) days public notice to all owners of record owning real property within five hundred feet of the subject property. Such notice shall be by first class mail and may include a notice sent by email.
3. The Committee shall consider all relevant information, submitted by the applicant, all relevant environmental impacts, any relevant information obtained from the Code Enforcement Department, and any comments from the public. The Committee may take into consideration the age of the existing OWTS, whether the system appears to be satisfactorily functioning, its proximity to any water body, watercourse or stream, the circumstances concerning the appeal, the effect, if any, upon nearby real properties, the practical difficulties in strictly complying with the requirements of the County Law, any undue hardship to the property owner and all other matters relevant to the issue as determined by the Committee.
4. In evaluating appeals or requests for variances, the applicant shall be required to demonstrate by a preponderance of the evidence that the enforcement of any specific provision of this County Law imposes a practical difficulty or undue hardship upon the applicant's developed real property.
5. If additional information is required, the Committee may direct a subsequent inspection of the OWTS at issue.
6. The Committee's decision shall be considered a final determination subject to further appeal pursuant to an Article 78 proceeding in any court of competent jurisdiction.
7. Duties imposed upon owners of real property by the application of this County Law shall not be considered delegable or transferable to any third party unless expressly provided for herein or consented to by a resolution of the Committee.

SECTION 12. Notice of Violation and Penalties.

1. The Code Enforcement Department is authorized to administer and enforce this County Law. If an OWTS fails an inspection, the Code Enforcement Department shall issue in writing to the developed real property owner of record, a notice of violation and order to remedy the failing condition. Such notice and order shall specify the violation and grant such time as may be reasonably necessary to achieve compliance before a proceeding to compel compliance shall be commenced.
2. In the event that any developed real property owner or occupant of the developed real property is issued a notice of violation and order to remedy, or a subsequent real property owner is deemed to be in violation of this County Law, in either case, each specific allegation of a failure to comply shall constitute a separate violation.
3. Each violation of any provision of this County Law shall constitute a separate violation, punishable by a fine not to exceed Five Hundred Dollars (\$500.00). Each month any violation continues after service of a notice of violation and order to remedy upon the responsible

RESOLUTION NO. 430 OF 2021

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person(s) such offense shall constitute a separate violation when separately charged. The civil penalties provided by this subdivision shall be recoverable in an action or proceeding commenced in the name of Warren County on its own initiative or at the request of the Administrator of the Department of Fire Prevention and Building Code Enforcement.

4. An action or proceeding in the name of Warren Count may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of this local law. Such remedy shall be in addition to penalties otherwise prescribed by law.

SECTION 13. Severability. Where any clause, sentence, paragraph subdivision, section, or part of this County Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, and such adjudication shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this County Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 14. Effective Date. This County Law shall take effect on June 1, 2022.

APPENDIX A
LIST OF WATER BODIES

1. Lake George
2. Schroon Lake
3. Schroon River
4. Brant Lake
5. Loon Lake
6. Lake Luzerne
7. Hudson River
8. Friends Lake

Warren County Board of Supervisors

RESOLUTION NO. 431 OF 2021

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

**INTRODUCING PROPOSED LOCAL LAW NO. 8 OF 2021, ENTITLED
“A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2021, ESTABLISHING THE
OFFICE OF EMERGENCY SERVICES FOR WARREN COUNTY”,
AND AUTHORIZING A PUBLIC HEARING THEREON**

RESOLVED, that proposed Local Law No. 8 of 2021 entitled “A Local Law Amending Local Law No. 2 of 2021, Establishing the office of Emergency Services for Warren County”, attached hereto and made a part hereof, be , and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors’ Room in the Warren County Municipal Center on the 19th day of November, 2021, at 10:00 a.m. on the matter of the adoption of said proposed Local Law No. 8 of 2021, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

**COUNTY OF WARREN
LOCAL LAW NO. 8 OF 2021**

**A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2021,
ESTABLISHING THE OFFICE OF EMERGENCY SERVICES FOR WARREN COUNTY**

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 known as “A Local Law Amending Local Law No. 2 of 2021, Establishing the Office of Emergency Services for Warren County.”

SECTION 2. Legislative Intent and Purpose. The Warren County Board of Supervisors desires to amend Local Law No. 2 of 2021, to remove language requiring Warren County Board of Supervisors approval of certain personnel appointments, including the appointment of the Hazardous Materials/WMD Coordinator, which is created through this law, and removing the Fire Coordinator oversight of the Warren County Cause and Origin Team.

SECTION 3. Enactment Authority. This Local Law is enacted under the authority of Section 10 of the Municipal Home Rule of New York State.

SECTION 4. Establishment of the Office of Emergency Services. There is hereby created in Warren County the Office of Emergency Services, which shall contain the following County functions: Natural Disaster and Civic Defense; Fire Coordination; and Emergency Medical Services Coordination.

SECTION 5. Director. There is hereby established the position of Director of the Office of Emergency Services (hereinafter referred to as “Director”), as the administrative head of the Office of Emergency Services. The Director shall be appointed by the Board of Supervisors in accordance with any requirement of the Civil Service Law or rule or any other State or Federal Laws or rules that may apply. The Director shall be appointed by a majority of all members of the Warren County Board of Supervisors and shall serve at the pleasure of the Board of Supervisors.”

SECTION 6. Section 6 of Local Law No. 2 of 2021 is hereby amended to read as follows:

“SECTION 6. Director’s Duties/Powers. The Director shall:

- a) be responsible for the administration and provision of services for all functions of the Office of Emergency Services, and
- b) have all the powers and perform the duties conferred or imposed by law upon a head of Natural Disaster and Civic Defense, except that nothing contained herein shall prevent or limit the right of the Director to delegate and/or assign such duties and responsibilities as herein provided or contemplated unless prohibited

- by federal or state law, rule or regulation.
- c) may act as Chairperson of the Local Emergency Planning Council [LEPC].
- d) have the power of appointment for the positions created by the Board of Supervisors.
- e) have such other duties as the Warren County Board of Supervisors may prescribe.”

SECTION 7. Section 7 of Local Law No. 2 of 2021 is hereby amended to read as follows:

“**SECTION 7. Emergency Services Coordinator.** There is hereby established a position of Emergency Services Coordinator, who shall be appointed by the Director and shall be acting administrative head of the Office of Emergency Services in the event of the absence of the Director or the inability of the Director to perform and exercise the powers and duties of the office. The Emergency Services Coordinator shall have such duties and powers as the Director may assign and/or delegate.”

SECTION 8. Section 8 of Local Law No. 2 of 2021 is hereby amended to read as follows:

“**SECTION 8. Office Personnel.** Personnel assigned to the Office of Emergency Services shall include: Fire Coordinator; Deputy Fire Coordinators; EMS Coordinator; Deputy EMS Coordinators; Hazardous Materials W.M.D. Coordinator; and an Office Specialist. The Director shall have such additional staff and personnel as the Board of Supervisors shall, from time to time determine. The Fire Coordinator shall have all the powers and perform the duties conferred or imposed by law upon a Fire Coordinator pursuant to County Law section 225-a.”

SECTION 9. Severability. If any provision of this Local Law or the application of such provision to any person, body, or circumstances shall be held invalid, the remainder of this Local Law or the application of such provision to persons, bodies or circumstances other than those concerning which it shall have been held invalid shall not be affected thereby.”

SECTION 10. Effective Date. This Law shall be effective immediately upon filing with the Secretary of State as provided by the law.

SECTION 11. Prior Local Laws Amended and/or Superseded. This Local Law amends and supersedes Warren County Local Law No. 2 of 2021 “A Local Law Amending Local Law No. 5 of 2009, Establishing the Office of Emergency Services for Warren County”.

Warren County Board of Supervisors

RESOLUTION NO. 432 OF 2021

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

AWARDING BID AND AUTHORIZING AGREEMENT WITH NEMER CHRYSLER JEEP DODGE RAM, LLC FOR PROPRIETARY DEALER ONLY REPAIRS FOR VARIOUS DODGE, CHRYSLER AND JEEP MAKES AND MODELS (WC 38-21)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Proprietary Dealer Only Repairs for Various Dodge, Chrysler and Jeep Makes and Models (WC 38-21), and

WHEREAS, the bids were opened on July 15, 2021 and the Sheriff has recommended that the bid be awarded to Nemer Chrysler Jeep Dodge Ram, LLC, located at 728 Quaker Road, Queensbury, New York 12804, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Nemer Chrysler Jeep Dodge Ram, LLC, located at 728 Quaker Road, Queensbury, New York 12804, of the acceptance of their bid, 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 Nemer Chrysler Jeep Dodge Ram, LLC relative to Proprietary Dealer Only Repairs for Various Dodge, Chrysler and Jeep Makes and Models, in a form approved by the County Attorney, pursuant to the terms and provisions of the specifications (WC 38-21), for a term commencing upon execution by both parties and terminating on September 30, 2022, with the option for one (1) additional one (1) year term upon mutual agreement of the parties, at the prices defined in the attached Schedule "A," and be it further

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

WARREN COUNTY BID TABULATION SHEET

BID NO: WC 38-21 ITEM(S): PROPRIETARY DEALER ONLY REPAIRS FOR VARIOUS DODGE, CHRYSLER AND JEEP MAKES AND MODELS DATE: JULY 15, 2021 TIME: 3:00 PM.	<p style="text-align: center;">NAME & ADDRESS OF BIDDER</p> Nemer Chrysler Jeep Dodge Ram, LLC Attn: Ron Pliscofsky 728 Quaker Rd Queensbury, NY Ph: 518-793-2571 Fx: 518-793-1245
DESCRIPTION OF ITEM	BID PRICE
Hourly Rate: Mechanic	\$109.95
Materials/Parts Furnished: Percent Mark-Up Over Cost	30%
BID AWARDED TO:	RESOLUTION NO.: xx of 2021
√ JULIE A. BUTLER, PURCHASING AGENT	TERM: Commencing upon execution of Agreement and terminating September 30, 2022

Warren County Board of Supervisors

RESOLUTION No. 433 OF 2021

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

AMENDING RESOLUTION NO. 329 OF 2021, AUTHORIZING AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING WITH VARIOUS AGENCIES/DEPARTMENTS CONCERNING STOP-DWI PROGRAM - TRAFFIC SAFETY, TO CHANGE THE COMMENCEMENT DATE

WHEREAS, pursuant to Resolution No. 329 of 2021, Warren County authorized the continued contractual relationship with the following agencies/departments for various STOP-DWI programs and activities, in the amounts set forth below, 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

<u>AGENCIES/DEPARTMENTS/ADDRESS</u>	<u>AMOUNT NOT TO EXCEED</u>
City of Glens Falls Glens Falls Police Department 42 Ridge Street Glens Falls, NY 12801	\$44,375.00
Warren County District Attorney's Office Warren County Municipal Center 1340 State Route 9 Lake George, NY 12845	\$28,875.00
Warren County Probation Department Warren County Municipal Center 1340 State Route 9 Lake George, NY 12845,	\$26,250.00

and

WHEREAS, the Public Safety Committee approved a request to change the commencement date to January 1, 2021, now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute amended memorandums of understanding with the agencies/departments listed above to change the commencement date of the agreements to January 1, 2021, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 329 of 2021 will remain the same.

Warren County Board of Supervisors

RESOLUTION No. 434 OF 2021

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

**AUTHORIZING MEMORANDUMS OF UNDERSTANDING
WITH THE WARREN COUNTY SHERIFF'S OFFICE CONCERNING
STOP-DWI PROGRAM - TRAFFIC SAFETY**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into a memorandum of understanding with the Warren County Sheriff's Office for various STOP-DWI programs and activities, (the previous memorandums of understanding being authorized by Resolution No. 590 of 2019), in the amount set forth below, for a term commencing January 1, 2021 and terminating December 31, 2021, with the option for two (2) additional one (1) year terms, in a form approved by the County Attorney:

AGENCIES/DEPARTMENTS/ADDRESS

Warren County Sheriff's Office
1400 State Route 9
Lake George, NY 12845,

AMOUNT NOT TO EXCEED

\$44,375.00

and be it further

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

Warren County Board of Supervisors

RESOLUTION No. 435 OF 2021

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

AUTHORIZING AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING WITH VARIOUS AGENCIES/DEPARTMENTS CONCERNING THE NEW YORK STATE STOP-DWI FOUNDATION'S HIGH VISIBILITY ENGAGEMENT CAMPAIGN

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute agreements and memorandum of understanding with the following agencies/departments for the New York State STOP-DWI Foundation's High Visibility Engagement Campaign, in the amounts set forth below, for a term commencing October 1, 2021 and terminating September 30, 2022, with the option for two (2) additional one (1) year terms, in a form approved by the County Attorney:

<u>AGENCIES/DEPARTMENTS/ADDRESS</u>	<u>AMOUNT NOT TO EXCEED</u>
Warren County Sheriff's Office 1400 State Route 9 Lake George, NY 12845	\$15,000.00
Glens Falls Police Department 42 Ridge Street Glens Falls, NY 12801,	\$15,000.00

and be it further

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

Warren County Board of Supervisors

RESOLUTION NO. 436 OF 2021

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

AUTHORIZING AN AGREEMENT WITH THE THURMAN VOLUNTEER FIRE DEPARTMENT FOR USE OF THE COUNTY MOTOR FUEL SYSTEM

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with the Thurman Volunteer Fire Department for use of the County Motor Fuel System, at no cost to the County, for a term commencing November 1, 2021 and terminating upon thirty (30) days written notice by either party, in the form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 437 OF 2021

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

AWARDING BID AND AUTHORIZING AGREEMENT WITH GALUSHA & SONS, LLC FOR HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT, TOWN OF BOLTON, WARREN COUNTY, NY (WC 31-21)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Horicon Avenue over Finkle Brook Culvert/Bridge Replacement, Town of Bolton, Warren County, NY (WC 31-21), and

WHEREAS, the bids were opened on July 15, 2021 and the Superintendent of Public Works has recommended that the bid be awarded to Galusha & Sons, LLC, located at 426 Dix Avenue, Queensbury, New York 12804, as the lowest responsible bidder, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Galusha & Sons, LLC, located at 426 Dix Avenue, Queensbury, New York 12804, of the acceptance of their bid, 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 Galusha & Sons, LLC relative to Horicon Avenue over Finkle Brook Culvert/Bridge Replacement, Town of Bolton, Warren County, NY, in a form approved by the County Attorney, pursuant to the terms and provisions of the specifications (WC 31-21), for a term commencing upon execution by both parties and terminating upon completion of services, at the prices defined in the attached Schedule "A," and be it further

RESOLVED, that the funds for this agreement shall be expended from Capital Project H.384.9550 280 CR 11 Over Finkle Brook Culvert Replacement, Capital Projects, Projects.

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>NAME & ADDRESS OF BIDDER Galusha & Sons, LLC. Attn: Scott Howe 426 Dix Avenue Queensbury, NY 12804 Ph: 518-761-0400</p>	<p>NAME & ADDRESS OF BIDDER Prime Highway Contractors, LLC. Attn: Linda Isabelle 50 Colvin Avenue - Suite 103 Albany, NY 12206 Ph: 518-459-4040</p>	<p>NAME & ADDRESS OF BIDDER Luck Bro's, Inc. Attn: Jeffrey Luck 73 Trade Road Plattsburgh, NY 12901 Ph: 518-561-4321</p>
<p>BID AWARDED TO:</p>			
<p>✓ RESOLUTION NO. XXX OF 2021</p>			
<p>TERM: The work will be substantially completed within 120 days after the date when contract times commence to run as provided in paragraph 14.04 of the General Conditions and completed and ready for final payment in accordance with section 14.07 of the General Conditions within 134 days after the date when the Contract Times commence to run.</p>			
<p>JULIE A. BUTLER, PURCHASING AGENT</p>			
<p>DESCRIPTION OF ITEM</p>	<p>BID PRICE</p>	<p>BID PRICE</p>	<p>BID PRICE</p>
<p>TOTAL BID FOR ALL UNIT PRICES:</p>	<p>\$712,482.77</p>	<p>\$734,881.00</p>	<p>\$749,597.72</p>
<p>LINE ITEM BREAKDOWN:</p>			
<p>CLEARING & GRUBBING:</p>	<p>\$8,818.00</p>	<p>\$10,000.00</p>	<p>\$10,805.43</p>
<p>REMOVING EXISTING SUPERSTRUCTURES:</p>	<p>\$1,953.00</p>	<p>\$15,000.00</p>	<p>\$4,437.76</p>
<p>REMOVAL OF SUBSTRUCTURES:</p>	<p>\$85.82</p>	<p>\$25.00</p>	<p>\$171.20</p>
<p>UNCLASSIFIED EXCAVATION & DISPOSAL:</p>	<p>\$26.95</p>	<p>\$30.00</p>	<p>\$23.23</p>
<p>EMBANKMENT IN PLACE:</p>	<p>\$13.94</p>	<p>\$15.00</p>	<p>\$15.15</p>
<p>SELECT GRANULAR FILL:</p>	<p>\$51.37</p>	<p>\$60.00</p>	<p>\$51.15</p>
<p>SELECT STRUCTURAL FILL:</p>	<p>\$26.92</p>	<p>\$65.00</p>	<p>\$27.85</p>
<p>CONTROLLED LOW STRENGTH MATERIAL:</p>	<p>\$258.00</p>	<p>\$600.00</p>	<p>\$294.99</p>
<p>STRUCTURE EXCAVATION:</p>	<p>\$8.46</p>	<p>\$24.00</p>	<p>\$17.37</p>
<p>TRENCH & CULVERT EXCAVATION:</p>	<p>\$61.94</p>	<p>\$40.00</p>	<p>\$60.01</p>
<p>GEO-TEXTILE STABILIZATION:</p>	<p>\$6.34</p>	<p>\$2.00</p>	<p>\$2.88</p>
<p>EMBANKMENT IN PLACE:</p>	<p>\$10,106.50</p>	<p>\$10,875.00</p>	<p>\$10,983.75</p>
<p>SELECT GRANULAR FILL:</p>	<p>\$1,541.10</p>	<p>\$1,800.00</p>	<p>\$1,534.50</p>
<p>SELECT STRUCTURAL FILL:</p>	<p>\$9,422.00</p>	<p>\$22,750.00</p>	<p>\$9,747.50</p>
<p>CONTROLLED LOW STRENGTH MATERIAL:</p>	<p>\$774.00</p>	<p>\$1,800.00</p>	<p>\$884.97</p>
<p>STRUCTURE EXCAVATION:</p>	<p>\$18,612.00</p>	<p>\$52,800.00</p>	<p>\$38,214.00</p>
<p>TRENCH & CULVERT EXCAVATION:</p>	<p>\$1,238.80</p>	<p>\$800.00</p>	<p>\$1,200.20</p>
<p>GEO-TEXTILE STABILIZATION:</p>	<p>\$253.60</p>	<p>\$80.00</p>	<p>\$115.20</p>

WARREN COUNTY BID TABULATION SHEET

BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.	NAME & ADDRESS OF BIDDER		NAME & ADDRESS OF BIDDER		NAME & ADDRESS OF BIDDER	
PREFABRICATED COMPOSITE STRUCTURAL DRAIN:	\$45.63	\$5,019.30	\$12.00	\$1,320.00	\$11.29	\$1,241.90
SEED & MULCH - TEMP:	\$0.62	\$378.20	\$1.00	\$610.00	\$3.05	\$1,860.50
ROLLED EROSION CONTROL PRODUCT, CLASS I TYPE C, SHORT TERM:	\$2.90	\$1,769.00	\$2.00	\$1,220.00	\$2.26	\$1,378.60
SEDIMENT FILTER LOG 12 INCH:	\$5.41	\$1,623.00	\$9.00	\$2,700.00	\$7.77	\$2,331.00
SUBBASE COURSE, TYPE 2:	\$56.47	\$10,729.30	\$68.00	\$12,920.00	\$38.17	\$7,252.30
PLANT PRODUCTION QUALITY ADJUSTMENT TO HMA ITEMS:	\$70.00	\$840.00	\$70.00	\$840.00	\$70.00	\$840.00
12.5 F1 SUPERPAVE HMA, 80 SERIES COMPACTION:	\$190.97	\$10,121.41	\$105.00	\$5,565.00	\$129.64	\$6,870.92
19 F9 SUPERPAVE HMA, 80 SERIES COMPACTION:	\$139.71	\$9,919.41	\$103.00	\$7,313.00	\$124.73	\$8,855.83
37.5 F9 SUPERPAVE HMA, 80 SERIES COMPACTION:	\$162.86	\$16,937.44	\$100.00	\$10,400.00	\$121.55	\$12,641.20
STRAIGHT TACK COAT:	\$72.33	\$3,254.85	\$6.00	\$270.00	\$5.57	\$250.65
ASPHALT PAVEMENT JOINT ADHESIVE:	\$9.21	\$1,934.10	\$3.00	\$630.00	\$6.05	\$1,270.50
COFFERDAM (TYPE 2):	\$10,200.00	\$10,200.00	\$1,000.00	\$1,000.00	\$2,077.07	\$2,077.07
COFFERDAM (TYPE 2):	\$10,368.00	\$10,368.00	\$1,000.00	\$1,000.00	\$5,192.67	\$5,192.67
COFFERDAM (TYPE 2):	\$4,323.00	\$4,323.00	\$1,000.00	\$1,000.00	\$2,077.07	\$2,077.07
CONCRETE FOR STRUCTURES, CLASS HP (REINFORCEMENT INCLUDED & NO BAR LIST IN PLANS):	\$2,180.35	\$61,049.80	\$730.00	\$20,440.00	\$1,625.80	\$45,522.40
FOOTING CONCRETE, CLASS HP (REINFORCEMENT INCLUDED & NO BAR LIST IN PLANS):	\$625.26	\$59,399.70	\$730.00	\$69,350.00	\$923.40	\$87,723.00
REINFORCED CONCRETE SPAN UNITS:	\$1,186.89	\$129,371.01	\$1,350.00	\$147,150.00	\$1,141.61	\$124,435.49

WARREN COUNTY BID TABULATION SHEET

BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.	NAME & ADDRESS OF BIDDER	NAME & ADDRESS OF BIDDER	NAME & ADDRESS OF BIDDER
STEEL BRIDGE RAILING (THREE RAIL):	\$316.80	\$23,443.20	\$288.00
TRANSITION BRIDGE RAILING:	\$248.05	\$27,285.50	\$237.15
SHEET-APPLIED WATERPROOFING MEMBRANE:	\$6.27	\$4,740.12	\$4.90
REINFORCED CONCRETE PIPE CLASS III, 15" DIAMETER:	\$122.65	\$6,745.75	\$74.25
REINFORCED CONCRETE PIPE END SECTIONS, 15" DIAMETER:	\$1,783.00	\$3,566.00	\$533.02
BOX BEAM RAILING:	\$78.10	\$5,623.00	\$64.39
BOX BEAM GUIDE RAILING (SHOP BENT OR SHOP MITERED):	\$137.50	\$1,650.00	\$174.08
BOX BEAM END PIECE:	\$797.50	\$1,595.00	\$781.75
BOX BEAM GUIDE RAIL END ASSEMBLY, TYPE IIA	\$2,563.00	\$5,126.00	\$2,657.23
REMOVING & DISPOSING BOX BEAM GUIDE RAILING:	\$5.50	\$627.00	\$5.95
PLANT PRODUCTION QUALITY ADJUSTMENT TO HMA SIDEWALK ITEMS:	\$70.00	\$70.00	\$70.00
HMA SIDEWALKS, DRIVEWAYS & BICYCLE PATHS, AND VEGETATION CONTROL STRIPS:	\$263.43	\$4,214.88	\$222.14
TOPSOIL - ROADSIDE:	\$68.13	\$4,769.10	\$145.19
TURF ESTABLISHMENTS - ROADSIDE:	\$0.79	\$481.90	\$2.47
LIVE CUTTINGS PLANTINGS:	\$25.40	\$1,016.00	\$0.42
BASIC WORK ZONE TRAFFIC CONTROL:	\$9,549.00	\$9,549.00	\$68,623.73
TYPE III CONSTRUCTION BARRICADE W LIGHTING:	\$444.50	\$2,667.00	\$174.02
			\$22,203.70
			\$26,086.50
			\$3,704.40
			\$4,083.75
			\$1,066.04
			\$4,636.08
			\$2,088.96
			\$1,563.50
			\$5,314.46
			\$678.30
			\$70.00
			\$3,554.24
			\$10,163.30
			\$1,506.70
			\$16.80
			\$68,623.73
			\$174.02

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>NAME & ADDRESS OF BIDDER</p>		<p>NAME & ADDRESS OF BIDDER</p>		<p>NAME & ADDRESS OF BIDDER</p>	
<p>TEMPORARY POSITIVE BARRIER (PINNING PROHIBITED):</p>	<p>\$12.07</p>	<p>\$965.60</p>	<p>\$18.00</p>	<p>\$1,440.00</p>	<p>\$34.92</p>	<p>\$2,793.60</p>
<p>STONE FILLING (LIGHT):</p>	<p>\$139.79</p>	<p>\$1,677.48</p>	<p>\$80.00</p>	<p>\$960.00</p>	<p>\$59.90</p>	<p>\$718.80</p>
<p>STONE FILLING (MEDIUM):</p>	<p>\$60.59</p>	<p>\$22,721.25</p>	<p>\$85.00</p>	<p>\$31,875.00</p>	<p>\$59.15</p>	<p>\$22,181.25</p>
<p>EXTRA HEAVY RIP RAP:</p>	<p>\$282.00</p>	<p>\$2,820.00</p>	<p>\$105.00</p>	<p>\$1,050.00</p>	<p>\$39.48</p>	<p>\$394.80</p>
<p>BEDDING MATERIAL, TYPE 1:</p>	<p>\$86.00</p>	<p>\$7,826.00</p>	<p>\$60.00</p>	<p>\$5,460.00</p>	<p>\$36.12</p>	<p>\$3,286.92</p>
<p>NATIVE STREAM BED MATERIAL:</p>	<p>\$46.85</p>	<p>\$6,324.75</p>	<p>\$60.00</p>	<p>\$8,100.00</p>	<p>\$47.77</p>	<p>\$6,448.95</p>
<p>ROCK OR CROSS VANES:</p>	<p>\$120.56</p>	<p>\$31,345.60</p>	<p>\$110.00</p>	<p>\$28,600.00</p>	<p>\$74.48</p>	<p>\$19,364.80</p>
<p>SURVEY OPERATIONS:</p>	<p>\$8,515.00</p>	<p>\$8,515.00</p>	<p>\$20,000.00</p>	<p>\$20,000.00</p>	<p>\$5,227.71</p>	<p>\$5,227.71</p>
<p>CUTTING PAVEMENT:</p>	<p>\$6.00</p>	<p>\$576.00</p>	<p>\$2.00</p>	<p>\$192.00</p>	<p>\$6.10</p>	<p>\$585.60</p>
<p>WHITE PAINT REFLECTORIZED STRIPES - 15 MILS:</p>	<p>\$1.82</p>	<p>\$764.40</p>	<p>\$1.50</p>	<p>\$630.00</p>	<p>\$5.55</p>	<p>\$2,331.00</p>
<p>YELLOW PAINT REFLECTORIZED STRIPES - 15 MILS:</p>	<p>\$1.82</p>	<p>\$764.40</p>	<p>\$1.50</p>	<p>\$630.00</p>	<p>\$5.55</p>	<p>\$2,331.00</p>
<p>DELINEATOR, SNOW PLOWING MARKERS, SUPPLEMENTARY:</p>	<p>\$27.50</p>	<p>\$165.00</p>	<p>\$25.00</p>	<p>\$150.00</p>	<p>\$14.75</p>	<p>\$88.50</p>
<p>STEEL POST, 1.1 lb/ft:</p>	<p>\$82.50</p>	<p>\$330.00</p>	<p>\$75.00</p>	<p>\$300.00</p>	<p>\$58.16</p>	<p>\$232.64</p>
<p>AIR RELEASE VALVE / BLOW OFF ASSEMBLY:</p>	<p>\$1,050.00</p>	<p>\$1,050.00</p>	<p>\$500.00</p>	<p>\$500.00</p>	<p>\$825.57</p>	<p>\$825.57</p>
<p>DUCTILE IRON CEMENT LINED WATER PIPE, 10":</p>	<p>\$348.50</p>	<p>\$44,259.50</p>	<p>\$160.00</p>	<p>\$20,320.00</p>	<p>\$273.06</p>	<p>\$34,678.62</p>
<p>BOLTED SLEEVE TYPE COUPLING, 10":</p>	<p>\$834.50</p>	<p>\$1,669.00</p>	<p>\$600.00</p>	<p>\$1,200.00</p>	<p>\$279.84</p>	<p>\$559.68</p>
<p>IRON WATER MAIN FITTINGS (10" - 16"):</p>	<p>\$4.47</p>	<p>\$4,917.00</p>	<p>\$6.00</p>	<p>\$6,600.00</p>	<p>\$5.57</p>	<p>\$6,127.00</p>
<p>WEDGE TYPE MECHANICAL RESTRAINT GLANDS, 10":</p>	<p>\$299.60</p>	<p>\$4,793.60</p>	<p>\$150.00</p>	<p>\$2,400.00</p>	<p>\$124.77</p>	<p>\$1,996.32</p>
<p>TEMPORARY WATER SERVICE FOR WATER MAIN INSTALLATION:</p>	<p>\$4,190.00</p>	<p>\$4,190.00</p>	<p>\$10,000.00</p>	<p>\$10,000.00</p>	<p>\$13,307.44</p>	<p>\$13,307.44</p>

Luck Bro's, Inc.
 Attn: Jeffrey Luck
 73 Trade Road
 Plattsburgh, NY 12901
 Ph: 518-561-4321

Prime Highway Contractors, LLC.
 Attn: Linda Isabelle
 50 Colvin Avenue - Suite 103
 Albany, NY 12206
 Ph: 518-459-4040

Galusha & Sons, LLC.
 Attn: Scott Howe
 426 Dix Avenue
 Queensbury, NY 12804
 Ph: 518-761-0400

WARREN COUNTY BID TABULATION SHEET

BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.	NAME & ADDRESS OF BIDDER	NAME & ADDRESS OF BIDDER	NAME & ADDRESS OF BIDDER
REMOVE & DISPOSE OF EXISTING WATER MAIN, 10".	\$33.50	\$2.00	\$32.05
FIELD CHANGE PAYMENT:	\$3,919.50	\$234.00	\$3,749.85
ASPHALT PRICE ADJUSTMENT:	\$1.00	\$1.00	\$1.00
FUEL PRICE ADJUSTMENT:	\$37,000.00	\$37,000.00	\$37,000.00
STEEL PRICE ADJUSTMENT:	\$1,000.00	\$1,000.00	\$1,000.00
SUBTOTAL:	\$1,500.00	\$1,500.00	\$1,500.00
MOBILIZATION:	\$500.00	\$500.00	\$500.00
BASE BID TOTAL:	\$689,582.77	\$706,617.00	\$722,791.44
(Empty)	(Empty)	(Empty)	(Empty)
(Empty)	\$22,900.00	\$28,264.00	\$26,806.28
(Empty)	(Empty)	(Empty)	(Empty)
(Empty)	\$712,482.77	\$734,881.00	\$749,597.72

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>Jersen Construction Group, LLC. Attn: Kenneth Jersen 6 Industry Drive Waterford, NY 12188 Ph: 518-233-0600</p>	<p>Rifenburg Contracting Corp. Attn: William DeMaria 1175 Hoosick Road Troy, NY 12180 Ph: 518-279-3967</p>	<p>Reale Construction Company, Inc. Attn: Peter Reale 411 County Route 56 Ticonderoga, NY 12883 Ph: 518-585-6782</p>
<p>DESCRIPTION OF ITEM</p>	<p>BID PRICE</p>	<p>BID PRICE</p>	<p>BID PRICE</p>
<p>TOTAL BID FOR ALL UNIT PRICES:</p>	<p>\$790,482.10</p>	<p>\$814,999.50</p>	<p>\$886,000.00</p>
<p>LINE ITEM BREAKDOWN:</p>			
<p>CLEARING & GRUBBING:</p>	<p>\$67,000.00</p>	<p>\$15,000.00</p>	<p>\$13,500.00</p>
<p>REMOVING EXISTING SUPERSTRUCTURES:</p>	<p>\$4,340.00</p>	<p>\$10,000.00</p>	<p>\$4,000.00</p>
<p>REMOVAL OF SUBSTRUCTURES:</p>	<p>\$120.00</p>	<p>\$84.00</p>	<p>\$180.00</p>
<p>UNCLASSIFIED EXCAVATION & DISPOSAL:</p>	<p>\$13.00</p>	<p>\$40.00</p>	<p>\$22.00</p>
<p>EMBANKMENT IN PLACE:</p>	<p>\$38.00</p>	<p>\$5.00</p>	<p>\$36.00</p>
<p>SELECT GRANULAR FILL:</p>	<p>\$48.00</p>	<p>\$38.00</p>	<p>\$58.00</p>
<p>SELECT STRUCTURAL FILL:</p>	<p>\$42.00</p>	<p>\$38.00</p>	<p>\$52.00</p>
<p>CONTROLLED LOW STRENGTH MATERIAL:</p>	<p>\$250.00</p>	<p>\$350.00</p>	<p>\$260.00</p>
<p>STRUCTURE EXCAVATION:</p>	<p>\$11.50</p>	<p>\$20.00</p>	<p>\$17.50</p>
<p>TRENCH & CULVERT EXCAVATION:</p>	<p>\$33.00</p>	<p>\$34.00</p>	<p>\$40.00</p>
<p>GEO-TEXTILE STABILIZATION:</p>	<p>\$13.00</p>	<p>\$14.00</p>	<p>\$5.00</p>

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<p>PREFABRICATED COMPOSITE STRUCTURAL DRAIN:</p>	<p>\$13.00</p>	<p>\$1,430.00</p>	<p>\$14.50</p>	<p>\$1,595.00</p>	<p>\$16.00</p>	<p>\$1,760.00</p>
<p>SEED & MULCH - TEMP:</p>	<p>\$0.50</p>	<p>\$305.00</p>	<p>\$1.50</p>	<p>\$915.00</p>	<p>\$1.00</p>	<p>\$610.00</p>
<p>ROLLED EROSION CONTROL PRODUCT, CLASS I TYPE C, SHORT TERM:</p>	<p>\$1.00</p>	<p>\$610.00</p>	<p>\$4.00</p>	<p>\$2,440.00</p>	<p>\$3.75</p>	<p>\$2,287.50</p>
<p>SEDIMENT FILTER LOG 12 INCH:</p>	<p>\$13.00</p>	<p>\$3,900.00</p>	<p>\$7.00</p>	<p>\$2,100.00</p>	<p>\$7.50</p>	<p>\$2,250.00</p>
<p>SUBBASE COURSE, TYPE 2:</p>	<p>\$40.00</p>	<p>\$7,600.00</p>	<p>\$65.00</p>	<p>\$12,350.00</p>	<p>\$74.00</p>	<p>\$14,060.00</p>
<p>PLANT PRODUCTION QUALITY ADJUSTMENT TO HMA ITEMS:</p>	<p>\$70.00</p>	<p>\$840.00</p>	<p>\$70.00</p>	<p>\$840.00</p>	<p>\$70.00</p>	<p>\$840.00</p>
<p>12.5 F1 SUPERPAVE HMA, 80 SERIES COMPACTION:</p>	<p>\$170.00</p>	<p>\$9,010.00</p>	<p>\$125.00</p>	<p>\$6,625.00</p>	<p>\$145.00</p>	<p>\$7,685.00</p>
<p>19 F9 SUPERPAVE HMA, 80 SERIES COMPACTION:</p>	<p>\$141.00</p>	<p>\$10,011.00</p>	<p>\$120.00</p>	<p>\$8,520.00</p>	<p>\$140.00</p>	<p>\$9,940.00</p>
<p>37.5 F9 SUPERPAVE HMA, 80 SERIES COMPACTION:</p>	<p>\$125.00</p>	<p>\$13,000.00</p>	<p>\$115.00</p>	<p>\$11,960.00</p>	<p>\$135.00</p>	<p>\$14,040.00</p>
<p>STRAIGHT TACK COAT:</p>	<p>\$16.50</p>	<p>\$742.50</p>	<p>\$40.00</p>	<p>\$1,800.00</p>	<p>\$45.00</p>	<p>\$2,025.00</p>
<p>ASPHALT PAVEMENT JOINT ADHESIVE:</p>	<p>\$5.50</p>	<p>\$1,155.00</p>	<p>\$5.00</p>	<p>\$1,050.00</p>	<p>\$5.75</p>	<p>\$1,207.50</p>
<p>COFFERDAM (TYPE 2):</p>	<p>\$43,500.00</p>	<p>\$43,500.00</p>	<p>\$34,000.00</p>	<p>\$34,000.00</p>	<p>\$10,000.00</p>	<p>\$10,000.00</p>
<p>COFFERDAM (TYPE 2):</p>	<p>\$43,500.00</p>	<p>\$43,500.00</p>	<p>\$2,400.00</p>	<p>\$2,400.00</p>	<p>\$10,000.00</p>	<p>\$10,000.00</p>
<p>CONCRETE FOR STRUCTURES, CLASS HP (REINFORCEMENT INCLUDED & NO BAR LIST IN PLANS):</p>	<p>\$957.00</p>	<p>\$26,796.00</p>	<p>\$1,885.00</p>	<p>\$52,780.00</p>	<p>\$2,295.00</p>	<p>\$64,260.00</p>
<p>FOOTING CONCRETE, CLASS HP (REINFORCEMENT INCLUDED & NO BAR LIST IN PLANS):</p>	<p>\$693.00</p>	<p>\$65,835.00</p>	<p>\$995.00</p>	<p>\$94,525.00</p>	<p>\$850.00</p>	<p>\$80,750.00</p>
<p>REINFORCED CONCRETE SPAN UNITS:</p>	<p>\$1,008.00</p>	<p>\$109,872.00</p>	<p>\$1,400.00</p>	<p>\$152,600.00</p>	<p>\$1,300.00</p>	<p>\$141,700.00</p>

WARREN COUNTY BID TABULATION SHEET

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<p>STEEL BRIDGE RAILING (THREE RAIL):</p>	<p>\$317.00</p>	<p>\$23,458.00</p>	<p>\$288.00</p>	<p>\$21,312.00</p>	<p>\$300.00</p>	<p>\$22,200.00</p>			
<p>TRANSITION BRIDGE RAILING:</p>	<p>\$248.00</p>	<p>\$27,280.00</p>	<p>\$225.50</p>	<p>\$24,805.00</p>	<p>\$240.00</p>	<p>\$26,400.00</p>			
<p>SHEET-APPLIED WATERPROOFING MEMBRANE:</p>	<p>\$6.60</p>	<p>\$4,989.60</p>	<p>\$5.00</p>	<p>\$3,780.00</p>	<p>\$3.75</p>	<p>\$2,835.00</p>			
<p>REINFORCED CONCRETE PIPE CLASS III, 15" DIAMETER:</p>	<p>\$92.00</p>	<p>\$5,060.00</p>	<p>\$115.00</p>	<p>\$6,325.00</p>	<p>\$55.00</p>	<p>\$3,025.00</p>			
<p>REINFORCED CONCRETE PIPE END SECTIONS, 15" DIAMETER:</p>	<p>\$2,200.00</p>	<p>\$4,400.00</p>	<p>\$2,200.00</p>	<p>\$4,400.00</p>	<p>\$1,500.00</p>	<p>\$3,000.00</p>			
<p>BOX BEAM RAILING:</p>	<p>\$78.00</p>	<p>\$5,616.00</p>	<p>\$71.00</p>	<p>\$5,112.00</p>	<p>\$67.00</p>	<p>\$4,824.00</p>			
<p>BOX BEAM GUIDE RAILING (SHOP BENT OR SHOP MITERED):</p>	<p>\$137.00</p>	<p>\$1,644.00</p>	<p>\$125.00</p>	<p>\$1,500.00</p>	<p>\$180.00</p>	<p>\$2,160.00</p>			
<p>BOX BEAM END PIECE:</p>	<p>\$797.00</p>	<p>\$1,594.00</p>	<p>\$725.00</p>	<p>\$1,450.00</p>	<p>\$810.00</p>	<p>\$1,620.00</p>			
<p>BOX BEAM GUIDE RAIL END ASSEMBLY, TYPE IIA</p>	<p>\$2,560.00</p>	<p>\$5,120.00</p>	<p>\$2,330.00</p>	<p>\$4,660.00</p>	<p>\$2,750.00</p>	<p>\$5,500.00</p>			
<p>REMOVING & DISPOSING BOX BEAM GUIDE RAILING:</p>	<p>\$5.50</p>	<p>\$627.00</p>	<p>\$5.00</p>	<p>\$570.00</p>	<p>\$3.50</p>	<p>\$399.00</p>			
<p>PLANT PRODUCTION QUALITY ADJUSTMENT TO HMA SIDEWALK ITEMS:</p>	<p>\$70.00</p>	<p>\$70.00</p>	<p>\$70.00</p>	<p>\$70.00</p>	<p>\$70.00</p>	<p>\$70.00</p>			
<p>HMA SIDEWALKS, DRIVEWAYS & BICYCLE PATHS, AND VEGETATION CONTROL STRIPS:</p>	<p>\$247.00</p>	<p>\$3,952.00</p>	<p>\$160.00</p>	<p>\$2,560.00</p>	<p>\$185.00</p>	<p>\$2,960.00</p>			
<p>TOPSOIL - ROADSIDE:</p>	<p>\$43.00</p>	<p>\$3,010.00</p>	<p>\$125.00</p>	<p>\$8,750.00</p>	<p>\$87.00</p>	<p>\$6,090.00</p>			
<p>TURF ESTABLISHMENTS - ROADSIDE:</p>	<p>\$3.30</p>	<p>\$2,013.00</p>	<p>\$2.95</p>	<p>\$1,799.50</p>	<p>\$3.00</p>	<p>\$1,830.00</p>			
<p>LIVE CUTTINGS PLANTINGS:</p>	<p>\$13.00</p>	<p>\$520.00</p>	<p>\$15.00</p>	<p>\$600.00</p>	<p>\$14.00</p>	<p>\$560.00</p>			
<p>BASIC WORK ZONE TRAFFIC CONTROL:</p>	<p>\$11,200.00</p>	<p>\$11,200.00</p>	<p>\$15,000.00</p>	<p>\$15,000.00</p>	<p>\$53,000.00</p>	<p>\$53,000.00</p>			
<p>TYPE III CONSTRUCTION BARRICADE W LIGHTING:</p>	<p>\$104.00</p>	<p>\$624.00</p>	<p>\$200.00</p>	<p>\$1,200.00</p>	<p>\$115.00</p>	<p>\$690.00</p>			

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<p>TEMPORARY POSITIVE BARRIER (PINNING PROHIBITED):</p>	<p>Jersen Construction Group, LLC. Attn: Kenneth Jersen 6 Industry Drive Waterford, NY 12188 Ph: 518-233-0600</p>	<p>Rifenburg Contracting Corp. Attn: William DeMaria 1175 Hoosick Road Troy, NY 12180 Ph: 518-279-3967</p>	<p>Reale Construction Company, Inc. Attn: Peter Reale 411 County Route 56 Ticonderoga, NY 12883 Ph: 518-585-6782</p>
	<p>\$48.00</p>	<p>\$25.00</p>	<p>\$30.00</p>
	<p>\$80.00</p>	<p>\$85.00</p>	<p>\$87.00</p>
	<p>\$72.00</p>	<p>\$73.00</p>	<p>\$92.00</p>
	<p>\$95.00</p>	<p>\$265.00</p>	<p>\$110.00</p>
	<p>\$33.00</p>	<p>\$75.00</p>	<p>\$76.00</p>
	<p>\$20.00</p>	<p>\$30.00</p>	<p>\$48.00</p>
	<p>\$100.00</p>	<p>\$82.00</p>	<p>\$132.00</p>
	<p>\$7,800.00</p>	<p>\$15,000.00</p>	<p>\$9,500.00</p>
	<p>\$4.00</p>	<p>\$5.00</p>	<p>\$4.50</p>
	<p>\$5.50</p>	<p>\$1.50</p>	<p>\$1.75</p>
	<p>\$5.50</p>	<p>\$1.50</p>	<p>\$1.75</p>
	<p>\$27.00</p>	<p>\$25.00</p>	<p>\$15.00</p>
	<p>\$82.00</p>	<p>\$75.00</p>	<p>\$60.00</p>
	<p>\$4,800.00</p>	<p>\$1,500.00</p>	<p>\$1,600.00</p>
	<p>\$100.00</p>	<p>\$335.00</p>	<p>\$360.00</p>
	<p>\$803.00</p>	<p>\$2,500.00</p>	<p>\$1,100.00</p>
	<p>\$3.00</p>	<p>\$4.50</p>	<p>\$5.00</p>
	<p>\$110.00</p>	<p>\$125.00</p>	<p>\$335.00</p>
	<p>\$7,200.00</p>	<p>\$15,000.00</p>	<p>\$28,000.00</p>

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>NAME & ADDRESS OF BIDDER</p>		<p>NAME & ADDRESS OF BIDDER</p>		<p>NAME & ADDRESS OF BIDDER</p>	
<p>REMOVE & DISPOSE OF EXISTING WATER MAIN, 10":</p>	<p>\$5.00</p>	<p>\$585.00</p>	<p>\$6.00</p>	<p>\$702.00</p>	<p>\$17.00</p>	<p>\$1,989.00</p>
<p>FIELD CHANGE PAYMENT:</p>	<p>\$1.00</p>	<p>\$37,000.00</p>	<p>\$1.00</p>	<p>\$37,000.00</p>	<p>\$1.00</p>	<p>\$37,000.00</p>
<p>ASPHALT PRICE ADJUSTMENT:</p>	<p>\$1.00</p>	<p>\$1,000.00</p>	<p>\$1.00</p>	<p>\$1,000.00</p>	<p>\$1.00</p>	<p>\$1,000.00</p>
<p>FUEL PRICE ADJUSTMENT:</p>	<p>\$1.00</p>	<p>\$1,500.00</p>	<p>\$1.00</p>	<p>\$1,500.00</p>	<p>\$1.00</p>	<p>\$1,500.00</p>
<p>STEEL PRICE ADJUSTMENT:</p>	<p>\$1.00</p>	<p>\$500.00</p>	<p>\$1.00</p>	<p>\$500.00</p>	<p>\$1.00</p>	<p>\$500.00</p>
<p>SUBTOTAL:</p>	<p>\$780,882.10</p>	<p>\$783,999.50</p>	<p></p>	<p></p>	<p>\$852,819.00</p>	<p></p>
<p>MOBILIZATION:</p>	<p>\$9,600.00</p>	<p>\$31,000.00</p>	<p></p>	<p></p>	<p></p>	<p>\$33,181.00</p>
<p>BASE BID TOTAL:</p>	<p>\$790,482.10</p>	<p>\$814,999.50</p>	<p></p>	<p></p>	<p></p>	<p>\$886,000.00</p>

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>Winn Construction Services, Inc. Attn: Dustin Winn 74 Hudson River Road Waterford, NY 12188 Ph: 518-238-2210</p>	<p>James H. Maloy, Inc. Attn: Peter Maloy PO Box 11016 421 Albany Shaker Road Loudonville, NY 12211 Ph: 518-438-7881</p>
<p>DESCRIPTION OF ITEM</p>	<p>BID PRICE</p>	<p>BID PRICE</p>
<p>TOTAL BID FOR ALL UNIT PRICES:</p>	<p>\$902,997.00</p>	<p>\$967,000.00</p>
<p>LINE ITEM BREAKDOWN:</p>		
<p>CLEARING & GRUBBING:</p>	<p>\$5,000.00</p>	<p>\$12,000.00</p>
<p>REMOVING EXISTING SUPERSTRUCTURES:</p>	<p>\$13,000.00</p>	<p>\$13,000.00</p>
<p>REMOVAL OF SUBSTRUCTURES:</p>	<p>\$100.00</p>	<p>\$325.00</p>
<p>UNCLASSIFIED EXCAVATION & DISPOSAL:</p>	<p>\$32.00</p>	<p>\$60.00</p>
<p>EMBANKMENT IN PLACE:</p>	<p>\$26.00</p>	<p>\$30.00</p>
<p>SELECT GRANULAR FILL:</p>	<p>\$55.00</p>	<p>\$125.00</p>
<p>SELECT STRUCTURAL FILL:</p>	<p>\$55.00</p>	<p>\$85.00</p>
<p>CONTROLLED LOW STRENGTH MATERIAL:</p>	<p>\$500.00</p>	<p>\$275.00</p>
<p>STRUCTURE EXCAVATION:</p>	<p>\$18.00</p>	<p>\$25.00</p>
<p>TRENCH & CULVERT EXCAVATION:</p>	<p>\$42.00</p>	<p>\$115.00</p>
<p>GEO-TEXTILE STABILIZATION:</p>	<p>\$13.00</p>	<p>\$15.00</p>
		<p>\$55,000.00</p>
		<p>\$2,300.00</p>
		<p>\$600.00</p>

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>NAME & ADDRESS OF BIDDER</p>	<p>NAME & ADDRESS OF BIDDER</p>
<p>PREFABRICATED COMPOSITE STRUCTURAL DRAIN:</p>	<p>\$13.00</p>	<p>\$1,430.00</p>
<p>SEED & MULCH - TEMP:</p>	<p>\$1.00</p>	<p>\$610.00</p>
<p>ROLLED EROSION CONTROL PRODUCT, CLASS I TYPE C, SHORT TERM:</p>	<p>\$4.00</p>	<p>\$2,440.00</p>
<p>SEDIMENT FILTER LOG 12 INCH:</p>	<p>\$10.00</p>	<p>\$3,000.00</p>
<p>SUBBASE COURSE, TYPE 2:</p>	<p>\$85.00</p>	<p>\$16,150.00</p>
<p>PLANT PRODUCTION QUALITY ADJUSTMENT TO HMA ITEMS:</p>	<p>\$70.00</p>	<p>\$840.00</p>
<p>12.5 F1 SUPERPAVE HMA, 80 SERIES COMPACTION:</p>	<p>\$140.00</p>	<p>\$7,420.00</p>
<p>19 F9 SUPERPAVE HMA, 80 SERIES COMPACTION:</p>	<p>\$135.00</p>	<p>\$9,585.00</p>
<p>37.5 F9 SUPERPAVE HMA, 80 SERIES COMPACTION:</p>	<p>\$130.00</p>	<p>\$13,520.00</p>
<p>STRAIGHT TACK COAT:</p>	<p>\$45.00</p>	<p>\$2,025.00</p>
<p>ASPHALT PAVEMENT JOINT ADHESIVE:</p>	<p>\$6.00</p>	<p>\$1,260.00</p>
<p>COFFERDAM (TYPE 2):</p>	<p>\$12,000.00</p>	<p>\$18,000.00</p>
<p>COFFERDAM (TYPE 2):</p>	<p>\$12,000.00</p>	<p>\$18,000.00</p>
<p>COFFERDAM (TYPE 2):</p>	<p>\$9,000.00</p>	<p>\$18,000.00</p>
<p>CONCRETE FOR STRUCTURES, CLASS HP (REINFORCEMENT INCLUDED & NO BAR LIST IN PLANS):</p>	<p>\$2,220.00</p>	<p>\$62,160.00</p>
<p>FOOTING CONCRETE, CLASS HP (REINFORCEMENT INCLUDED & NO BAR LIST IN PLANS):</p>	<p>\$800.00</p>	<p>\$76,000.00</p>
<p>REINFORCED CONCRETE SPAN UNITS:</p>	<p>\$1,350.00</p>	<p>\$147,150.00</p>
		<p>\$130,800.00</p>

James H. Maloy, Inc.
 Attn: Peter Maloy
 PO Box 11016
 421 Albany Shaker Road
 Loudonville, NY 12211
 Ph: 518-438-7881

Winn Construction Services, Inc.
 Attn: Dustin Winn
 74 Hudson River Road
 Waterford, NY 12188
 Ph: 518-238-2210

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>NAME & ADDRESS OF BIDDER</p>	<p>NAME & ADDRESS OF BIDDER</p>
<p>STEEL BRIDGE RAILING (THREE RAIL):</p>	<p>Winn Construction Services, Inc. Attn: Dustin Winn 74 Hudson River Road Waterford, NY 12188 Ph: 518-238-2210</p>	<p>James H. Maloy, Inc. Attn: Peter Maloy PO Box 11016 421 Albany Shaker Road Loudonville, NY 12211 Ph: 518-438-7881</p>
<p>TRANSITION BRIDGE RAILING:</p>	<p>\$300.00</p>	<p>\$300.00</p>
<p>SHEET-APPLIED WATERPROOFING MEMBRANE:</p>	<p>\$235.00</p>	<p>\$22,200.00</p>
<p>REINFORCED CONCRETE PIPE CLASS III, 15" DIAMETER:</p>	<p>\$5.00</p>	<p>\$25,300.00</p>
<p>REINFORCED CONCRETE PIPE END SECTIONS, 15" DIAMETER:</p>	<p>\$75.00</p>	<p>\$3,780.00</p>
<p>BOX BEAM RAILING:</p>	<p>\$3,000.00</p>	<p>\$80.00</p>
<p>BOX BEAM GUIDE RAILING (SHOP BENT OR SHOP MITERED):</p>	<p>\$65.00</p>	<p>\$4,400.00</p>
<p>BOX BEAM END PIECE:</p>	<p>\$145.00</p>	<p>\$2,300.00</p>
<p>BOX BEAM GUIDE RAIL END ASSEMBLY, TYPE IIA</p>	<p>\$700.00</p>	<p>\$80.00</p>
<p>REMOVING & DISPOSING BOX BEAM GUIDE RAILING:</p>	<p>\$5.00</p>	<p>\$6.00</p>
<p>PLANT PRODUCTION QUALITY ADJUSTMENT TO HMA SIDEWALK ITEMS:</p>	<p>\$70.00</p>	<p>\$70.00</p>
<p>HMA SIDEWALKS, DRIVEWAYS & BICYCLE PATHS, AND VEGETATION CONTROL STRIPS:</p>	<p>\$175.00</p>	<p>\$400.00</p>
<p>TOPSOIL - ROADSIDE:</p>	<p>\$100.00</p>	<p>\$80.00</p>
<p>TURF ESTABLISHMENTS - ROADSIDE:</p>	<p>\$2.00</p>	<p>\$2.00</p>
<p>LIVE CUTTINGS PLANTINGS:</p>	<p>\$18.00</p>	<p>\$16.00</p>
<p>BASIC WORK ZONE TRAFFIC CONTROL:</p>	<p>\$7,500.00</p>	<p>\$12,079.00</p>
<p>TYPE III CONSTRUCTION BARRICADE W LIGHTING:</p>	<p>\$125.00</p>	<p>\$400.00</p>

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY DATE: JULY 15, 2021 TIME: 3:00 PM.</p>	<p>NAME & ADDRESS OF BIDDER</p>	<p>NAME & ADDRESS OF BIDDER</p>
<p>TEMPORARY POSITIVE BARRIER (PINNING PROHIBITED):</p>	<p>\$80.00</p>	<p>\$75.00</p>
<p>STONE FILLING (LIGHT):</p>	<p>\$95.00</p>	<p>\$130.00</p>
<p>STONE FILLING (MEDIUM):</p>	<p>\$80.00</p>	<p>\$100.00</p>
<p>EXTRA HEAVY RIP RAP:</p>	<p>\$225.00</p>	<p>\$155.00</p>
<p>BEDDING MATERIAL, TYPE 1:</p>	<p>\$80.00</p>	<p>\$150.00</p>
<p>NATIVE STREAM BED MATERIAL:</p>	<p>\$65.00</p>	<p>\$75.00</p>
<p>ROCK OR CROSS VANES:</p>	<p>\$260.00</p>	<p>\$155.00</p>
<p>SURVEY OPERATIONS:</p>	<p>\$20,000.00</p>	<p>\$10,000.00</p>
<p>CUTTING PAVEMENT:</p>	<p>\$6.00</p>	<p>\$8.00</p>
<p>WHITE PAINT REFLECTORIZED STRIPES - 15 MILS:</p>	<p>\$2.00</p>	<p>\$1.65</p>
<p>YELLOW PAINT REFLECTORIZED STRIPES - 15 MILS:</p>	<p>\$2.00</p>	<p>\$1.65</p>
<p>DELINEATOR, SNOW PLOWING MARKERS, SUPPLEMENTARY:</p>	<p>\$30.00</p>	<p>\$27.00</p>
<p>STEEL POST, 1.1 lb/ft:</p>	<p>\$59.00</p>	<p>\$80.00</p>
<p>AIR RELEASE VALVE / BLOW OFF ASSEMBLY:</p>	<p>\$5,000.00</p>	<p>\$6,000.00</p>
<p>DUCTILE IRON CEMENT LINED WATER PIPE, 10":</p>	<p>\$420.00</p>	<p>\$480.00</p>
<p>BOLTED SLEEVE TYPE COUPLING, 10":</p>	<p>\$2,500.00</p>	<p>\$1.60</p>
<p>IRON WATER MAIN FITTINGS (10" - 16"):</p>	<p>\$4.00</p>	<p>\$12.00</p>
<p>WEDGE TYPE MECHANICAL RESTRAINT GLANDS, 10":</p>	<p>\$325.00</p>	<p>\$600.00</p>
<p>TEMPORARY WATER SERVICE FOR WATER MAIN INSTALLATION:</p>	<p>\$30,000.00</p>	<p>\$30,000.00</p>

WARREN COUNTY BID TABULATION SHEET

BID NO: WC 31-21 ITEM(S): HORICON AVENUE OVER FINKLE BROOK CULVERT/BRIDGE REPLACEMENT - TOWN OF BOLTON - WARREN COUNTY, NY	NAME & ADDRESS OF BIDDER	NAME & ADDRESS OF BIDDER
DATE: JULY 15, 2021 TIME: 3:00 PM.	Winn Construction Services, Inc. Attn: Dustin Winn 74 Hudson River Road Waterford, NY 12188 Ph: 518-238-2210	James H. Maloy, Inc. Attn: Peter Maloy PO Box 11016 421 Albany Shaker Road Loudonville, NY 12211 Ph: 518-438-7881
REMOVE & DISPOSE OF EXISTING WATER MAIN, 10":	\$15.00	\$1,755.00
FIELD CHANGE PAYMENT:	\$1.00	\$37,000.00
ASPHALT PRICE ADJUSTMENT:	\$1.00	\$1,000.00
FUEL PRICE ADJUSTMENT:	\$1.00	\$1,500.00
STEEL PRICE ADJUSTMENT:	\$1.00	\$500.00
SUBTOTAL:	\$870,497.00	\$930,000.00
MOBILIZATION:	\$32,500.00	\$37,000.00
BASE BID TOTAL:	\$902,997.00	\$967,000.00

Warren County Board of Supervisors

RESOLUTION NO. 438 OF 2021

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

AMENDING AGREEMENT WITH BARTON & LOGUIDICE FOR CONSULTANT SERVICES IN CONNECTION WITH CAPITAL PROJECT H384 CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT, TOWN OF BOLTON, TO INCLUDE SUPPLEMENTAL AGREEMENT NO. 1 FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, pursuant to Resolution No. 225 of 2019, the Chair of the Board of Supervisors was authorized to execute an agreement with Barton & Loguidice, 10 Airline Drive, Suite 200, Albany, New York 12205, to provide consultant services for Capital Project H384 CR 11 over Finkle Brook Culvert Replacement, PIN 1761.07, for an amount not to exceed One Hundred Sixty-Seven Thousand Three Hundred Eighty-Four Dollars (\$167,384) for a term commencing upon execution by both parties and terminating upon completion of services, and

WHEREAS, the Superintendent of the Department of Public Works has requested to amend the agreement to authorize Supplemental Agreement No. 1 to add additional design services, construction support and construction inspection services for an amount not to exceed One Hundred Seventy-Three Thousand Seven Hundred Fifty-One Dollars (\$173,751), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute Supplemental Agreement No. 1 with Barton & Loguidice, 10 Airline Drive, Suite 200, Albany, New York 12205, for additional design services, construction support and construction inspection services for the CR 11 over Finkle Brook Culver Replacement, for an amount not to exceed One Hundred Seventy-Three Thousand Seven Hundred Fifty-One Dollars (\$173,751) for a term commencing upon execution of the agreement by both parties and terminating upon completion of the project, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Capital Project No. H384.9550 280 CR 11 over Finkle Brook Culvert Replacement, Capital Projects, Projects.

Warren County Board of Supervisors

RESOLUTION NO. 439 OF 2021

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

AWARDING BID AND AUTHORIZING AGREEMENT WITH NORTHEAST PETROLEUM TECHNOLOGIES, INC. FOR FUEL MONITORING SYSTEM UPGRADE FOR WARREN COUNTY, NY (WC 48-21)

WHEREAS, the Purchasing Agent has advertised for sealed bids for Fuel Monitoring System Upgrade for Warren County, NY (WC 48-21), and

WHEREAS, the bids were opened on September 30, 2021, subsequent to the meeting of the Public Works Committee on September 21, 2021, and the Superintendent of Public Works has recommended that the bid be awarded to Northeast Petroleum Technologies, Inc., located at 2940 Curry Road, Schenectady, NY 12303, as the lowest responsible bidder, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Northeast Petroleum Technologies, Inc. of the acceptance of their bid, 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 Northeast Petroleum Technologies, Inc. relative to Fuel Monitoring System Upgrade for Warren County, NY, in a form approved by the County Attorney, pursuant to the terms and provisions of the specifications (WC 48-21), for a term commencing upon execution by both parties and terminating upon completion of services, at the prices defined in the attached Schedule "A," and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code DM.5140 470 Road Machinery, Motor Fuel Farms, Contract.

WARREN COUNTY BID TABULATION SHEET

<p>BID NO: WC 48-21 ITEM(S): FUEL MONITORING SYSTEM UPGRADE FOR WARREN COUNTY, NY DATE: SEPTEMBER 30, 2021 TIME: 3:00 P.M.</p>	<p>NAME & ADDRESS OF BIDDER Northeast Petroleum Technologies, Inc. Attn: Ken Spencer 2940 Curry Road Schenectady, NY 12303 Ph: 518-355-2747 Fax: 518-355-2454</p>	<p>NAME & ADDRESS OF BIDDER Enviromental & Fueling Systems, LLC. Attn: Rich Hennessey 20 Gurley Avenue Troy, NY 12182 Ph: 518-365-1088 Fax: 518-237-0498</p>	<p>NAME & ADDRESS OF BIDDER American Petroleum Equipment & Construction Attn: Mike Crandall 63 Orange Avenue Walden, NY 12586 Ph: 845-778-5110</p>
<p>FUEL SITE LOCATIONS</p>	<p>BID PRICE</p>	<p>BID PRICE</p>	<p>BID PRICE</p>
<p>DPW Main Office, 4028 Main Street, Warrensburg, NY</p>	<p>\$7,456.50</p>	<p>\$10,293.13</p>	<p>\$11,250.00</p>
<p>Floyd Bennett Airport, 143 Queensbury Avenue, Queensbury, NY</p>	<p>\$7,456.50</p>	<p>\$10,139.38</p>	<p>\$11,250.00</p>
<p>Town of North Creek, Ski Bowl Road, North Creek, NY</p>	<p>\$7,456.50</p>	<p>\$10,446.88</p>	<p>\$11,250.00</p>
<p>Lake Luzerne Landfill, Towner Road, Lake Luzerne, NY</p>	<p>\$7,456.50</p>	<p>\$10,139.38</p>	<p>\$11,250.00</p>
<p>Town of Bolton, Coolidge Hill Road, Bolton Landing, NY</p>	<p>\$7,473.44</p>	<p>\$10,031.76</p>	<p>\$11,250.00</p>
<p>Town Horicon Highway Garage, Town Shed Road, Brant Lake, NY</p>	<p>\$6,745.00</p>	<p>\$8,860.18</p>	<p>\$10,359.00</p>
<p>Town of Hague Highway Garage, New York State Route 8, Hague, NY</p>	<p>\$7,473.44</p>	<p>\$10,059.43</p>	<p>\$11,250.00</p>
<p>Total of Lump Sum Prices</p>	<p>\$51,517.88</p>	<p>\$69,970.15</p>	<p>\$77,859.00</p>
<p>BID AWARDED TO:</p>			
<p>TERM: SIXTY (60) CALENDAR DAYS AFTER ISSUANCE OF A NOTICE TO PROCEED.</p>			
<p>RESOLUTION #XXX OF 2021</p>			
<p><input checked="" type="checkbox"/> JULIE A. BUTLER, PURCHASING AGENT</p>			

Warren County Board of Supervisors

RESOLUTION NO. 440 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 INCREASE THE NOT TO EXCEED AMOUNT

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, Resolution No. 139 of 2021 amended 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, and

WHEREAS, the Tourism & Occupancy Tax Coordination Committee has approved a request to increase the not to exceed amount for the agreement with Adirondack Regional Tourism Council, Inc. from Fifteen Thousand Dollars (\$15,000) to Thirty Thousand Dollars (\$30,000) to reflect the award of New York State Department of Economic Development Matching Funds grant, 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 Thirty Thousand Dollars (\$30,000) to reflect the award of New York State Department of Economic Development Matching Funds grant, 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 Nos. 93 of 2021 and 139 of 2021 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 441 OF 2021

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

REVISING AND RE-ESTABLISHING CRITERIA FOR THE EXPENDITURE OF COUNTY OCCUPANCY TAX REVENUES IN CONNECTION WITH CONVENTIONS, TRADE SHOWS AND EVENTS

WHEREAS, by Resolution No. 238 of 2005 (subsequently amended by Resolution Nos. 717 of 2005, 80 of 2008, 629 of 2008, 177 of 2011 and 287 of 2021), the Warren County Board of Supervisors established criteria for the expenditure of County occupancy tax revenues in connection with conventions, trade shows and events, and

WHEREAS, the Tourism & Occupancy Tax Coordination Committee has approved a request to remove Criteria 4-7 in Schedule "A," update Criteria 2 and add a new Criteria 4, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors does hereby revise and re-establish the criteria for the expenditure of County occupancy tax revenues in connection with conventions, trade shows and events as outlined in the attached Schedule "A," and be it further

RESOLVED, that this resolution shall supercede Resolution Nos. 238 of 2005, 80 of 2008, 629 of 2008, 177 of 2011 and 287 of 2021.

SCHEDULE "A"

CRITERIA FOR THE EXPENDITURE OF COUNTY OCCUPANCY TAX REVENUES IN CONNECTION WITH CONVENTIONS, TRADE SHOWS AND EVENTS

1. The expenditure of funds by the County for conventions, trade shows, and/or events shall be in accordance with the contract to be written in a form approved by the County Attorney; a copy of same shall be presented to the Standing Committee tasked with overseeing the distribution of occupancy tax funding and kept on file with the Clerk of the Board of Supervisors and the County Attorney's Office.
2. As a general rule, the County typically contracts for participation in multi-day conventions, trade shows or events while it is expected that one-day events will be addressed at the local Town, City or village level - the Board of Supervisors will, however, consider exceptions to this rule in the instance of special circumstances.
3. The amount expended in connection with the contract with the sponsor of a particular convention, trade show or event will be established at the time of review of each request, but shall, in no event, exceed \$50,000.
4. As a general rule the County will follow the scoring and grading criteria set forth in Resolution No. 333 of 2021.

Warren County Board of Supervisors

RESOLUTION NO. 442 OF 2021

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

AMENDING RESOLUTION NO. 391 OF 2021, AUTHORIZING AGREEMENTS WITH CERTAIN APPLICANTS FOR THE DISBURSEMENT OF 2021 OCCUPANCY TAX REVENUES, TO AWARD FUNDING TO EVENTS TO A T

WHEREAS, pursuant to Resolution No. 229 of 2021, and amended by Resolution Nos. 280 of 2021, 332 of 2021 and 391 of 2021, the Chair of the Board of Supervisors was authorized and directed to execute standard form Warren County Tourist and Convention Development Agreements for occupancy tax funding with certain applicants, and

WHEREAS, at the September 22, 2021 Tourism & Occupancy Tax Coordination meeting, the Committee considered and approved a request from the following applicant for occupancy tax funding:

<u>Applicant</u>	<u>Event</u>	<u>Dates</u>	<u>Amount of Award</u>
Events to a T	Festival of Lights	12/1/21 - 12/25/21	\$30,000.00

now, therefore, be it

RESOLVED, that Resolution No. 229 of 2021, as subsequently amended by Resolution Nos. 280 of 2021, 332 of 2021 and 391 of 2021 be, and hereby is, amended to authorize the Chair of the Board of Supervisors to execute the standard form Warren County Tourist and Convention Development Agreement with the above referenced applicant, for 2021 funding in the amount of Thirty Thousand Dollars (\$30,000) and to increase the total amount of occupancy tax funding to Five Hundred Thirty-Two Thousand Dollars (\$532,000), to be expended from Budget Code A.6417.0002 480 Tourism/Occupancy, Occupancy Tax, Tourism-Special Events, as listed on the revised attached Schedule "A" with said agreements to be 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. 229 of 2021, as amended by Resolution Nos. 280 of 2021, 332 of 2021 and 391 of 2021, will remain the same.

SCHEDULE "A"
2021 Occupancy Tax Awards

	APPLICANT	EVENT	DATE	AMOUNT OF AWARD
1	Tim Cianciola (Craft Producers)	Lake George Arts & Crafts Festival	7/30/21 - 8/1/21	\$3,000.00
2	Tim Cianciola	Lake George BBQ Festival	8/13/21-8/15/21	\$4,000.00
3	Lake George Music Festival	Classical Music Festival	8/18/21-8/25/21	\$15,000.00
4	LGD/50 Concert Series	Five Different Concerts	5/27/21-5/30/21; 6/11/21-6/12/21; 7/2/21-7/4/21; 7/8/21-7/10/21; 8/5/21-8/6/21	\$25,000.00
5	Adirondack Cycling Advocates, Inc.	Promotion of Bicycling	2021	\$20,000.00
6	Adirondack Hot Air Balloon Festival	Adirondack Hot Air Balloon Festival	9/23/21-9/26/21	\$40,000.00
7	Adirondack Sports Complex	ADKSC Travel Team Softball Tournaments	1/1/21-12/20/21	\$40,000.00
8	Albany Rods & Kustoms, Inc.	Adirondack Nationals	9/9/21-9/12/21	\$25,000.00
9	Alpha Win formerly Adk. Race Mgmt	Lake George Triathlon Festival	9/3/21-9/5/21	\$15,000.00
10	Americade, Inc.	Americade	9/20/21-9/25/21	\$50,000.00
11	Hyde Collection	Marketing and Publications	5/1/21-10/31/21	\$15,000.00
12	Improv Records, Inc.	Adirondack Independence Music Festival	9/3/21-9/5/21	\$25,000.00

RESOLUTION No. 442 OF 2021

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13	Prime Time Lacrosse	Lake George National Invitational	7/24/21- 7/25/21	\$30,000.00
14	Warrensburg Chamber of Commerce	World's Largest Garage Sale	10/1/21- 10/3/21	\$28,000.00
15	Village of Lake George	Weekly Fireworks Shows	7/1/21- 12/31/21	\$25,000.00
16	Town of Horicon	Food Truck Friday's on the Pond	7/1/21- 8/31/21	\$12,000.00
17	Town of Johnsburg	Website Maint./Marketing Initiative	1/1/21- 12/31/21	\$15,000.00
18	Ice Castles, LLC	Ice Castles at Lake George	10/1/21 - 4/30/22	\$50,000.00
19	NY Ski Educational Foundation	2021/2022 Ski/Ride Season	12/18/21 - 3/27/22	\$15,000.00
20	Special Olympics NY Fall Games	2021/2022/2023 Fall Games	2021 - 2023	\$50,000.00
21	Events to a T	Festival of Lights	12/1/21 - 12/25/21	\$30,000.00
	TOTAL			\$532,000.00

Warren County Board of Supervisors

RESOLUTION NO. 443 OF 2021

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

**AWARDING BID AND AUTHORIZING AGREEMENT WITH
HUNDEN STRATEGIC PARTNERS FOR TOURISM CONSULTANT TO
PROVIDE COMPETITOR MARKET DATA TO THE
WARREN COUNTY TOURISM DEPARTMENT (WC 25-21)**

WHEREAS, the Purchasing Agent has released a request for proposals for a Tourism Consultant to Provide Competitor Market Data to the Warren County Tourism Department (WC 25-21), and

WHEREAS, the Tourism & Occupancy Tax Coordination Committee met on September 30, 2021 to hear proposals and unanimously selected Hunden Strategic Partners to provide the desired services to the Warren County Tourism Department, and has recommended same to the Board of Supervisors, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Hunden Strategic Partners, located at 213 W. Institute Place, Suite 707, Chicago, IL 60610, of the acceptance of their 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 Hunden Strategic Partners, located at 213 W. Institute Place, Suite 707, Chicago, IL 60610, in a form approved by the County Attorney, in an amount not to exceed Seventy-Two Thousand Dollars (\$72,000), for a term commencing October 18, 2021 and terminating upon completion, and be it further

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

Warren County Board of Supervisors

RESOLUTION No. 444 OF 2021

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

ACCEPTING SETTLEMENT WITH REGARD TO OPIOID LITIGATION

WHEREAS, Warren County entered into an agreement with Napoli & Shkolnik, PLLC to represent Warren County with regard to opioid litigation at a contingency fee based on the amount of the settlement, and

WHEREAS, a settlement has been reached with McKesson, Cardinal Health and Amerisource Bergen in the opioid litigation, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby accepts settlement from McKesson, Cardinal Health and Amerisource Bergen and its terms and conditions with regard to opioid litigation and the County Attorney and Napoli & Shkolnik, PLLC be, and hereby are, authorized on behalf of Warren County to execute any and all documents associated with the acceptance of settlement.

Warren County Board of Supervisors

RESOLUTION No. 445 OF 2021

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

AUTHORIZING WAIVING THE CO-PAY FOR TELEHEALTH SERVICES AND COVID-19 TESTING FOR THE 2021-2022 BENEFIT PLAN YEAR

RESOLVED, that the Warren County Board of Supervisors hereby authorizes waiving the co-pay for telehealth services and COVID-19 testing for the 2021-2022 benefit year plan, and be it further

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute any and all agreements or documents necessary to effect the above described waiver.

Warren County Board of Supervisors

RESOLUTION NO. 446 OF 2021

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

DELEGATING AUTHORITY TO CHAIR OF THE BOARD AND COUNTY ADMINISTRATOR TO ENTER INTO AGREEMENTS AND AUTHORIZE EXPENDITURES AS NECESSARY FOR AUTOPSY SERVICES, AS WELL AS FOR REMOVAL, TRANSPORT, FORENSIC MEDICAL SERVICES FEES AND MORGUE FACILITY USE FEES

WHEREAS, by Resolution No. 374 of 2017, as subsequently amended by Resolution Nos. 132 of 2018; 461 of 2018; 440 of 2019; 71 of 2020; and 493 of 2020, the Warren County Board of Supervisors approved a payment for services proposal submitted by the Warren County Coroner in an effort to help control Warren County's costs for removal and transportation of the deceased, and

WHEREAS, by Resolution No. 336 of 2020, the Warren County Board of Supervisors authorized renewal of the agreement with Glens Falls Hospital for autopsy services and approved a fee schedule for same, and

WHEREAS, at their October 7, 2021 meeting, the Personnel, Administration & Higher Education Committee was advised that due to the absence of a pathologist, Glens Falls Hospital was unable to perform autopsies for the foreseeable future and that other options to perform these services were being sought through alternate area hospitals which would incur alternate autopsy, removal, transport, forensic medical services fees and morgue facility use fees which were still unknown at that time, and

WHEREAS, the Personnel, Administration & Higher Education Committee determined, and does recommend to the Board of Supervisors, that the best possible solution for addressing this issue would be to delegate authority to Chair of the Board and County Administrator to enter into agreements and authorize expenditures as necessary for autopsy services, as well as for removal, transport, forensic medical services fees and morgue facility use fees, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby delegate authority to the Chair of the Board and the County Administrator to enter into agreements and authorize expenditures as necessary for autopsy services, as well as for removal, transport, forensic medical services fees and morgue facility use fees until such time that the situation is rectified and said authority is no longer necessary, and be it further

RESOLVED, that all expenses associated with autopsy services and removal, transport and forensic medical services fees shall continue to be expended from Budget Code A.1185 435, Medical Examiners & Coroners, Medical Fees.

Warren County Board of Supervisors

RESOLUTION NO. 447 OF 2021

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

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE OFFICE OF CLIMATE CHANGE FOR THE 2021 ZERO-EMISSION VEHICLE INFRASTRUCTURE GRANTS FOR MUNICIPALITIES PROGRAM

WHEREAS, the Assistant County Planner is requesting approval to submit a grant application to the New York State Office of Climate Change for the 2021 Zero-Emission Vehicle Infrastructure Grants for Municipalities Program for funding in an amount not to exceed Eighty Thousand Dollars (\$80,000), 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 Office of Climate Change for the 2021 Zero-Emission Vehicle Infrastructure Grants for Municipalities Program for funding in an amount not to exceed Eighty Thousand Dollars (\$80,000), in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION No. 448 OF 2021

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

INTRODUCING PROPOSED LOCAL LAW NO. 9 OF 2021, ENTITLED "A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE THE WARREN COUNTY BOARD OF SUPERVISORS AMONGST TWENTY (20) MEMBERS", AND AUTHORIZING PUBLIC HEARING THEREON

RESOLVED, that proposed Local Law No. 9 of 2021 entitled "A Local Law Reapportioning the Weighted Vote of the Warren County Board of Supervisors Amongst Twenty (20) Members", attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Room in the Warren County Municipal Center on the 19th day of November, 2021, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. 9 of 2021, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and he hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

COUNTY OF WARREN

PROPOSED LOCAL LAW NO. 9 OF 2021

A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE WARREN COUNTY BOARD OF SUPERVISORS AMONGST TWENTY (20) MEMBERS

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

SECTION 1. On and after the fourth day of January, 2022, the local legislative body of the County of Warren shall continue to be known and designated as the Board of Supervisors, but the election of the members thereof and their respective votes as such members thereof shall, on and after the fourth day of January, 2022, be determined and fixed in accordance with the provisions of this Local Law to accomplish the reapportionment of the local legislative body of the County of Warren in accordance with the 2020 Federal Census and the members thereof shall be designated as County Supervisors.

SECTION 2. The number and apportionment of the members of the Board of Supervisors shall be determined by the 2020 Federal Census. Until the 2030 Federal Decennial Census, unless an official County census is made before 2030, each town and city ward in the County of Warren shall be entitled to at least one (1) County Supervisor. Each town and city ward shall be entitled to one (1) additional County Supervisor for each 5,835 population as determined by the 2020 Federal Census.

SECTION 3. Based on the 2020 Federal Census of the County of Warren, on and after the fourth day of January, 2022, there shall be twenty (20) members of the Board of Supervisors of the County of Warren apportioned as follows:

Town of Bolton	1
Town of Chester	1
Town of Hague	1
Town of Horicon	1
Town of Johnsburg	1
Town of Lake George	1
Town of Lake Luzerne	1
Town of Queensbury	5
Town of Stony Creek	1
Town of Thurman	1
Town of Warrensburg	1
City of Glens Falls:	
First Ward	1
Second Ward	1
Third Ward	1
Fourth Ward	1
Fifth Ward	1

RESOLUTION NO. 448 OF 2021

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Such Supervisors shall be elected at the general election of 2021 and shall hold office for terms of two (2) years commencing on the first day of January following such election unless a municipality shall have elected as provided under State Law for its supervisor to hold a four (4) year term in which case the county supervisor shall hold office for a four (4) year term. In all towns having one (1) County Supervisor, the County Supervisor shall be the Town Supervisor. In towns having more than one (1) County Supervisor, the Town Supervisor shall be one (1) County Supervisor and the remaining County Supervisors shall be elected at large in the town. A vacancy in the Office of County Supervisor in a town, other than the Town Supervisor, shall be filled by a majority of the votes of the members of the town board. In a city ward having more than one (1) County Supervisor, all County Supervisors shall be elected at large in the ward. A vacancy in the Office of the County Supervisor in a city ward shall be filled by a majority vote of the common council of the city.

SECTION 4. On and after the fourth day of January, 2022, and continuing until the next Decennial Federal Census, unless an official County census shall be made sooner, each town and ward shall be entitled to the following number of votes on any resolution, local law, motion or proposal to be voted on by the Board of Supervisors, to wit:

Town of Bolton	31
Town of Chester	47
Town of Hague	10
Town of Horicon	22
Town of Johnsburg	33
Town of Lake George	53
Town of Lake Luzerne	47
Town of Queensbury:	
Town Supervisor	89
County Supervisor	89
County Supervisor	89
County Supervisor	89
County Supervisor	89
Town of Stony Creek	12
Town of Thurman	17
Town of Warrensburg	60
City of Glens Falls:	
First Ward	39
Second Ward	59
Third Ward	57
Fourth Ward	28
Fifth Ward	42

A total of 502 affirmative votes shall be required for the adoption of any resolution, local law,

RESOLUTION NO. 448 OF 2021

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motion or proposal requiring a majority vote and a total of 668 affirmative votes shall be required for the adoption of any resolution requiring a two-thirds vote. On any committee of the Board of Supervisors, each County Supervisor shall have one (1) vote.

SECTION 5. This Local Law shall repeal Local Law No. 12 of 2011.

SECTION 6. If any section, subdivision, paragraph, subparagraph, clause, term, or part thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion and such shall not affect the validity of the remaining portion thereof.

SECTION 7. This Local Law is adopted pursuant to Section 10, Subdivision 1, paragraph a(13) of the Municipal Home Rule Law and is subject to permissive referendum and shall become effective upon filing with the Secretary of State as provided by Section 27 of the Municipal Home Rule Law of the State of New York and publication in the official newspapers of the County of Warren.

Warren County Board of Supervisors

RESOLUTION No. 449 OF 2021

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

INTRODUCING PROPOSED LOCAL LAW NO. 10 OF 2021, ENTITLED “A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE WARREN COUNTY BOARD OF SUPERVISORS AMONGST TWENTY-ONE (21) MEMBERS”, AND AUTHORIZING PUBLIC HEARING THEREON

RESOLUTION FAILED

RESOLVED, that proposed Local Law No. 10 of 2021 entitled "A Local Law Reapportioning the Weighted Vote of the Warren County Board of Supervisors Amongst Twenty-One (21) Members", attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors' Room in the Warren County Municipal Center on the 19th day of November, 2021, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. 10 of 2021, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and he hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

COUNTY OF WARREN

PROPOSED LOCAL LAW NO. 10 OF 2021

A LOCAL LAW REAPPORTIONING THE WEIGHTED VOTE OF THE WARREN COUNTY BOARD OF SUPERVISORS AMONGST TWENTY-ONE (21) MEMBERS

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

SECTION 1. On and after the fourth day of January, 2022, the local legislative body of the County of Warren shall continue to be known and designated as the Board of Supervisors, but the election of the members thereof and their respective votes as such members thereof shall, on and after the fourth day of January, 2022, be determined and fixed in accordance with the provisions of this Local Law to accomplish the reapportionment of the local legislative body of the County of Warren in accordance with the 2020 Federal Census and the members thereof shall be designated as County Supervisors.

SECTION 2. The number and apportionment of the members of the Board of Supervisors shall be determined by the 2020 Federal Census. Until the 2030 Federal Decennial Census, unless an official County census is made before 2030, each town and city ward in the County of Warren shall be entitled to at least one (1) County Supervisor. Each town and city ward shall be entitled to one (1) additional County Supervisor for each 5,580 population as determined by the 2020 Federal Census.

SECTION 3. Based on the 2020 Federal Census of the County of Warren, on and after the fourth day of January, 2022, there shall be twenty-one (21) members of the Board of Supervisors of the County of Warren apportioned as follows:

Town of Bolton	1
Town of Chester	1
Town of Hague	1
Town of Horicon	1
Town of Johnsburg	1
Town of Lake George	1
Town of Lake Luzerne	1
Town of Queensbury	6
Town of Stony Creek	1
Town of Thurman	1
Town of Warrensburg	1
City of Glens Falls:	
First Ward	1
Second Ward	1
Third Ward	1
Fourth Ward	1
Fifth Ward	1

Such Supervisors shall be elected at the general election of 2021 and shall hold office for terms of two (2) years commencing on the first day of January following such election unless a municipality shall have elected as provided under State Law for its supervisor to hold a four (4) year term in which case the county supervisor shall hold office for a four (4) year term. In all towns having one (1) County Supervisor, the County Supervisor shall be the Town Supervisor. In towns having more than one (1) County Supervisor, the Town Supervisor shall be one (1) County Supervisor and the remaining County Supervisors shall be elected at large in the town. A vacancy in the Office of County Supervisor in a town, other than the Town Supervisor, shall be filled by a majority of the votes of the members of the town board. In a city ward having more than one (1) County Supervisor, all County Supervisors shall be elected at large in the ward. A vacancy in the Office of the County Supervisor in a city ward shall be filled by a majority vote of the common council of the city.

SECTION 4. On and after the fourth day of January, 2022, and continuing until the next Decennial Federal Census, unless an official County census shall be made sooner, each town and ward shall be entitled to the following number of votes on any resolution, local law, motion or proposal to be voted on by the Board of Supervisors, to wit:

Town of Bolton	31
Town of Chester	47
Town of Hague	10
Town of Horicon	22
Town of Johnsburg	33
Town of Lake George	53
Town of Lake Luzerne	47
Town of Queensbury:	
Town Supervisor	74
County Supervisor	74
County Supervisor	74
County Supervisor	74
County Supervisor	74
County Supervisor	74
Town of Stony Creek	12
Town of Thurman	17
Town of Warrensburg	60
City of Glens Falls:	
First Ward	39
Second Ward	59
Third Ward	57
Fourth Ward	28
Fifth Ward	42

A total of 501 affirmative votes shall be required for the adoption of any resolution, local law,

motion or proposal requiring a majority vote and a total of 668 affirmative votes shall be required for the adoption of any resolution requiring a two-thirds vote. On any committee of the Board of Supervisors, each County Supervisor shall have one (1) vote.

SECTION 5. This Local Law shall repeal Local Law No. 12 of 2011.

SECTION 6. If any section, subdivision, paragraph, subparagraph, clause, term, or part thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion and such shall not affect the validity of the remaining portion thereof.

SECTION 7. This Local Law is adopted pursuant to Section 10, Subdivision 1, paragraph a(13) of the Municipal Home Rule Law and is subject to permissive referendum and shall become effective upon filing with the Secretary of State as provided by Section 27 of the Municipal Home Rule Law of the State of New York and publication in the official newspapers of the County of Warren.

Warren County Board of Supervisors

RESOLUTION NO. 450 OF 2021

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

APPOINTING MEMBERS TO THE WARREN COUNTY BOARD OF ETHICS

WHEREAS, by Resolution No. 317 of 2021, the Warren County Board of Supervisors enacted Local Law No. 6 of 2021 which contains the most reason of the Warren County Ethics and Disclosure Law, and

WHEREAS, Section 20 of Local Law No. 6 of 2021 establishes the Board of Ethics, stating that: “The Board of Ethics shall consist of three (3) members, one shall be an officer or employee of Warren County, one shall be an elected or appointed officer or employee of a local Municipality located within Warren County, and one shall be a member of the public who is not a County officer or employee, nor an officer, employee, elected or appointed member of a local Municipality. The members of such Board of Ethics shall be appointed by the Board of Supervisors, serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the Board of Ethics. The Board of Supervisors may appoint alternate members for each category who shall serve in the event a member is unable to serve due to illness, unavailability or when a conflict is presented. Alternate members shall serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the Board of Ethics”, and

WHEREAS, the Personnel, Administration & Higher Education Committee has met to interview and consider candidates for the aforementioned Board of Ethics and has suggested that those listed below be appointed accordingly, now, therefore be it

RESOLVED, that the following individuals are hereby appointed, effective upon adoption of this resolution:

Officer/Employee Appointee:

Robert Iusi - Director of Probation

Brian Pilatzke, Esq. - Assistant Public Defender - Alternate

Elected/Appointed Officer or Employee of a Local Municipality:

Ash Anand, Warrensburg School Board Member

Diana Palmer, Glens Falls City Common Council Member - Alternate

Member of the Public:

Connie Bosse

Martin Deslauriers - Alternate

Note: Appointees serve at the pleasure of the Board for the current term of the majority of its members - all appointments made by this resolution will expire on December 31, 2021.

Warren County Board of Supervisors

RESOLUTION No. 451 OF 2021

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

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE AIRPORT RESERVE TO THE DEPARTMENT OF PUBLIC WORKS BUDGET TO COVER THE LOCAL MATCH OF FEDERAL AVIATION ADMINISTRATION AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANTS FOR CAPITAL PROJECT H403, REHAB AIRFIELD TAXIWAY LIGHTING SYSTEMS; AMENDING 2021 WARREN COUNTY BUDGET

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds to cover the local match of Federal Aviation Administration and New York State Department of Transportation Grants for Capital Project H403, Rehab Airfield Taxiway Lighting Systems, in an amount not to exceed Thirteen Thousand One Hundred Forty-Nine Dollars (\$13,149) from the Reserve, Airport (A.892.00) to the following budget code:

CODE	DEPARTMENT	AMOUNT
A.9950 910	Transfer-Capital Projects, Interfund Transfers	\$13,149.00

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. 452 OF 2021

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

INCREASING CAPITAL PROJECT NO. H403, REHABILITATION OF AIRFIELD TAXIWAY LIGHTING SYSTEM - DESIGN; 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. H403, Rehabilitation of Airfield Taxiway Lighting System - Design, as follows:

1. Capital Project No. H403, Rehabilitation of Airfield Taxiway Lighting System - Design is hereby increased in the amount of Two Hundred Sixty-Two Thousand Nine Hundred Sixty-Eight Dollars (\$262,968).
2. The estimated total cost of Capital Project No. H403, Rehabilitation of Airfield Taxiway Lighting System - Design is now Three Hundred Twelve Thousand Four Hundred Sixty-Eight Dollars (\$312,468).
3. The proposed method of financing the increase in such Capital Project consists of the following:
 - a. Federal Aviation Administration grant funding in the amount of Two Hundred Thirty-Six Thousand Six Hundred Seventy-One Dollars (\$236,671);
 - b. New York State Department of Transportation grant funding in the amount of Thirteen Thousand One Hundred Forty-Eight Dollars (\$13,148);
 - c. Local share funding in the amount of Thirteen Thousand One Hundred Forty-Nine Dollars (\$13,149), to be transferred from Budget Code A.892.00, Reserve, Airport Repair & Projects,

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>
H403 - Rehabilitation of Airfield Taxiway Lighting System - Design	\$262,968

Warren County Board of Supervisors

RESOLUTION NO. 453 OF 2021

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

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS, COUNTY ROAD UNAPPROPRIATED SURPLUS AND ROAD MACHINERY UNAPPROPRIATED SURPLUS 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 Two Hundred Twenty-Eight Thousand Eight Hundred Ten Dollars (\$228,810) from the General Fund Unappropriated Surplus; Twenty-Two Thousand Six Hundred Dollars (\$22,600) from the County Road Unappropriated Surplus and One Hundred Seventy Dollars (\$170) from the Road Machinery Unappropriated Surplus to the following Departmental budgets to cover equipment needs:

APPROPRIATIONS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO:		
BUDGET CODE	TITLE	AMOUNT
A.1345 220	Purchasing, Office Equipment	\$ 400.00
A.1355 210	Real Property Tax Service Agency, Furniture/Furnishings	\$ 340.00
A.1620 210	Buildings, Furniture/Furnishings	\$ 1,500.00
A.1620 260	Buildings, Other Equipment	\$ 1,000.00
A.1620 413	Buildings, Repair & Maint.-Bldg/Property	\$ 4,245.00
A.1628 260	Waste Management Containment, Other Equipment	\$ 40,000.00
A.1680 250	Information Technology, Technical Equipment	\$ 47,000.00
A.3020 250	Sheriff's 911 Center, Technical Equipment	\$ 9,000.00
A.3110 210	Sheriff's Law Enforcement, Furniture/Furnishings	\$ 2,500.00
A.3110 260	Sheriff, Other Equipment	\$ 40,000.00

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<i>APPROPRIATIONS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS, CON'T</i>		
BUDGET CODE	TITLE	AMOUNT
A.3150 210	Sheriff's Correction Division, Furniture/Furnishings	\$ 5,000.00
A.3150 250	Sheriff's Correction Division, Technical Equipment	\$ 45,000.00
A.3410 210	Fire Prevention & Control, Furniture/Furnishings	\$ 400.00
A.3410 250	Fire Prevention & Control, Technical Equipment	\$ 4,300.00
A.3640 210	Civil Defense, Furniture/Furnishings	\$ 200.00
A.3640 230	Civil Defense, Automotive Equipment	\$ 1,000.00
A.4022 250	Emergency Medical Service, Technical Equipment	\$ 500.00
A.4022 260	Emergency Medical Service, Other Equipment	\$ 1,600.00
A.5610 210	Airport (D.P.W), Furniture/Furnishings	\$ 500.00
A.5610 220	Airport (D.P.W), Office Equipment	\$ 500.00
A.6010 210	Social Services, Furniture/Furnishings	\$ 840.00
A.6010 220	Social Services, Office Equipment	\$ 560.00
A.6030 210	Countryside Adult Home, Furniture/Furnishings	\$ 2,500.00
A.6030 220	Countryside Adult Home, Office Equipment	\$ 1,000.00
A.6030 260	Countryside Adult Home, Other Equipment	\$ 15,000.00
A.6030 260	Countryside Adult Home, Other Equipment	\$ 2,650.00
A.7110 210	Parks & Recreation, Furniture/Furnishings	\$ 700.00
A.7110 250	Parks & Recreation, Technical Equipment	\$ 575.00
	TOTAL	\$228,810.00

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APPROPRIATIONS FROM THE COUNTY ROAD UNAPPROPRIATED SURPLUS TO:		
BUDGET CODE	TITLE	AMOUNT
D.3310 260	County Road, Traffic Control, Other Equipment	\$ 20,000.00
D.5020 210	County Road, Engineering, Furniture/Furnishings	\$ 1,000.00
D.5020 220	County Road, Engineering, Office Equipment	\$ 600.00
D.5020 260	County Road, Engineering, Other Equipment	\$ 1,000.00
	TOTAL	\$ 22,600.00
APPROPRIATIONS FROM THE ROAD MACHINERY UNAPPROPRIATED SURPLUS TO:		
BUDGET CODE	TITLE	AMOUNT
DM.5130 220	Road Machinery, Machinery, Office Equipment	\$ 170.00
	TOTAL	\$ 170.00

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. 454 OF 2021

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

INCREASING CAPITAL PROJECT NO. H384, CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT; AUTHORIZING TRANSFER OF FUNDS; AND AMENDING 2021 WARREN COUNTY BUDGET

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

1. Capital Project No. H384, CR 11 over Finkle Brook Culvert Replacement is hereby increased in the amount of Two Hundred Fifty-Seven Thousand Five Hundred Thirty-Two Dollars and Sixty-Six Cents (\$257,532.66).
2. The estimated total cost of Capital Project No. H384, CR 11 over Finkle Brook Culvert Replacement is now One Million Fifty-Nine Thousand Four Hundred Forty-Eight Dollars and Twenty Cents (\$1,059,448.20).
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 Hundred Fifty-Seven Thousand Five Hundred Thirty-Two Dollars and Sixty-Six Cents (\$257,532.66), 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>
H384 - CR 11 over Finkle Brook Culvert Replacement	\$257,532.66

Warren County Board of Supervisors

RESOLUTION NO. 455 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 Seventeen Thousand Dollars (\$17,000) from the Computer Reserve Fund Budget Code A.895.00 to the following Departmental budget:

PROJECT	TITLE	AMOUNT
A.1435 220.1	Human Resources, Office Equipment-Reserve	\$17,000

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. 456 OF 2021

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

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND
UNAPPROPRIATED SURPLUS TO THE MENTAL HEALTH BUDGET;
AMENDING 2021 WARREN COUNTY BUDGET**

WHEREAS, the Director of Mental Health/Office of Community Services has requested funding in the amount of One Hundred Ten Thousand Dollars (\$110,000) to cover the cost of mandated chargeback expenses for court-ordered competency examinations and restoration, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed One Hundred Ten Thousand Dollars (\$110,000) from the General Fund Unappropriated Surplus to the following budget code:

CODE	DEPARTMENT	AMOUNT
A.4390 435	Psychiatric Exp./Criminal, Medical Fees	\$110,000

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. 457 OF 2021

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

ESTABLISHING COMMUNITY DEVELOPMENT FUND CD 77 COUNTRYSIDE CARES ACT; AUTHORIZING TRANSFER OF FUNDS AND AMENDING WARREN COUNTY BUDGET FOR 2021

RESOLVED, that the Warren County Board of Supervisors does hereby establish Community Development Fund CD 77 to administer the New York State Community Development Block grant award for the Countryside Adult Home to fund repairs and upgrades as follows:

1. Community Development Fund CD 77 is hereby established.
2. The estimated cost of such Community Development Fund is the amount of Eight Hundred Ten Thousand Nine Hundred Thirty-Two Dollars (\$810,932).
3. The proposed method of financing such Community Development Fund consists of the following:
 - a. Community Development Fund 77 8662 4405 Countryside CARES Act in the amount of Seven Hundred Ninety-Four Thousand Four Hundred Thirty-Two Dollars (\$794,432);
 - b. Community Development Fund 77 8686 4405 Countryside CARES Act in the amount of Sixteen Thousand Five Hundred Dollars (\$16,500), and be it further

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to transfer funds in the amount of Seven Hundred Twenty-Three Thousand Two Hundred Thirty-Two Dollars (\$723,232) to CD 77 8662 470, and be it further

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to transfer funds in the amount of Seventy-One Thousand Two Hundred Dollars (\$71,200) to CD 77 8662 437, and be it further

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to transfer funds in the amount of Sixteen Thousand Five Hundred Dollars (\$16,500) to CD 77 8686 410, 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 advance the funds up to the amount indicated below on an as-needed basis:

<u>ADVANCE TO</u>	<u>AMOUNT</u>
CD 77 Countryside CARES Act	\$810,932

Warren County Board of Supervisors

RESOLUTION NO. 458 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, BRAYMER, MCDEVITT, SMITH AND SHEPLER

RESOLUTION SETTING PUBLIC HEARING ON WARREN COUNTY SEWER DISTRICT (INDUSTRIAL PARK) ASSESSMENT ROLL

WHEREAS, the proposed Warren County Sewer District (Industrial Park) Assessment Roll for 2022 has been presented, and

WHEREAS, the Warren County Board of Supervisors must conduct a public hearing prior to adoption of the roll, now therefore, be it

RESOLVED, that the Warren County Board of Supervisors shall hold a public hearing on November 19, 2021 at 10:00 a.m. at the Supervisors Room in the Warren County Municipal Center, 1340 State Route 9, Queensbury, New York to hear all interested parties and citizens concerning the proposed Warren County Sewer District (Industrial Park) Assessment Roll for 2022, and, be it further

RESOLVED, that the Warren County Board of Supervisors authorizes and directs the Clerk of the Board of Supervisors to publish a Notice of Public Hearing in the official newspapers for Warren County not less than five (5) days prior to the hearing date and authorizes and directs the Sewer District Administrator to mail a copy of the Notice to all property owners within the Benefit Assessment District.

2022 Benefit Tax Roll

Warren County Sewer District (Industrial Park)

Tax Map #	Owner	Property Location	Acres	Rate/Acre	Tax
297.8-1-10	Angio Dynamics, Inc.	Queensbury Ave	12.97	53.573	694.84
297.8-1-12	County of Warren DPW	Queensbury Ave	5.54	53.573	296.79
297.8-1-13	County of Warren DPW	Queensbury Ave	8.12	53.573	435.01
297.8-1-14.1	Angio Dynamics, Inc.	Marcy Drive	0.97	53.573	51.97
297.8-1-14.2	Angio Dynamics, Inc.	Marcy Drive	0.70	53.573	37.50
297.8-1-15	Angio Dynamics, Inc.	Marcy Drive	1.17	53.573	62.68
297.8-1-16	TJ Upstate Prop	Marcy Drive	1.00	53.573	53.57
297.8-1-17	TJ Upstate Prop	Marcy Drive	1.44	53.573	77.15
297.8-1-20	TJ Upstate Prop	Queensbury Ave	6.09	53.573	326.26
297.8-1-21.1	SMS Ent LLC	Marcy Drive	1.60	53.573	85.72
297.8-1-21.2	SMS Ent LLC	Marcy Drive	0.11	53.573	5.89
297.8-1-22.1	C&R Properties, LLC	Queensbury Ave	1.60	53.573	85.72
297.8-1-22.2	C&R Properties, LLC	Queensbury Ave	0.20	53.573	10.71
297.8-1-23	SMS Ent LLC	Queensbury Ave	2.00	53.573	107.15
297.8-1-24	543 Queensbury Ave, LLC	Marcy Drive	2.64	53.573	141.43
297.8-1-25	Adk Ind Pk Co LLC	Queensbury Ave	1.62	53.573	86.79
297.8-1-26	543 Queensbury Ave., LLC	Queensbury Ave	2.82	53.573	151.08
297.8-1-27.1	Adk Industrial Pk	Marcy Drive	1.46	53.573	78.22
297.8-1-27.2	Angio Dynamics, Inc.	Marcy Drive	0.84	53.573	45.00
297.12-1-1	City of Glens Falls	Queensbury Ave	4.59	53.573	245.90
297.12-1-2	509 Queensbury Ave L	Queensbury Ave	2.79	53.573	149.47
297.12-1-3	Omall Family LP	Queensbury Ave	<u>1.84</u>	53.573	<u>98.57</u>

62.11 3,327.42

LEVY:

Qsby Invoice 3,327.42

TAX RATE: 53.573

Warren County Board of Supervisors

RESOLUTION NO. 459 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, BRAYMER, MCDEVITT, SMITH AND SHEPLER

ADOPTING EQUALIZATION RATES FOR MUNICIPALITIES IN WARREN COUNTY FOR 2021

WHEREAS, through their website, the New York State Office of Real Property Tax Services has provided the Equalization Rates for 2021 Assessment Rolls for Municipalities in the County of Warren, which sets forth equalization rates which are to be used in the apportionment of the 2022 County tax levy for each town and city, now, therefore, be it

RESOLVED, that the equalization rates established by the New York State Office of Real Property Tax Services are hereby accepted and approved and the equalization rates for each town and city in the County of Warren for the year 2022 are hereby established as follows:

<u>MUNICIPALITY</u>	<u>EQUALIZATION RATE</u>
Bolton	100.00
Chester	100.00
City of Glens Falls	75.00
Hague	75.90
Horicon	100.00
Johnsburg	1.90
Lake George	100.00
Lake Luzerne	95.00
Queensbury	100.00
Stony Creek	0.94
Thurman	93.40
Warrensburg	94.80

Warren County Board of Supervisors

RESOLUTION NO. 460 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, BRAYMER, MCDEVITT, SMITH AND SHEPLER

RELATING TO UNPAID SCHOOL TAXES

WHEREAS, Section 1330 of the Real Property Tax Law provides that any school district other than a city school district shall transmit a statement and certificate of unpaid school taxes to the County Treasurer so that the same is received not later than the 13th day of November following the levy of the tax, and further that the Warren County Treasurer shall transmit such statement and certificate of unpaid taxes to the Board of Supervisors, now, therefore, be it

RESOLVED, that the Board of Supervisors shall, upon receipt of the statement and certificate of unpaid school taxes from the County Treasurer, relevy the amount of such unpaid taxes with seven per centum (7%) of the amount of principal and interest in addition thereto at the county and town tax levy for the fiscal year 2022.

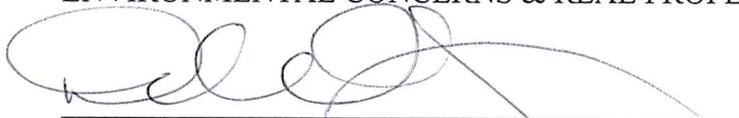
Warren County Board of Supervisors

REPORT OF COMMITTEE ON ASSESSMENT ROLLS

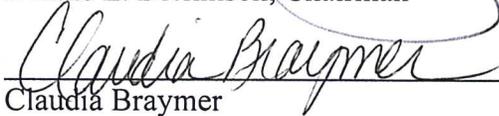
Your Committee on Environmental Concerns & Real Property Tax Services reports that they have verified the footings of the assessment rolls, referred to it as finalized by the Department of Equalization and Assessment, and certify that the following is a correct copy of such footings.

Dated: October 15, 2021

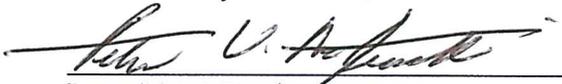
ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES COMMITTEE:



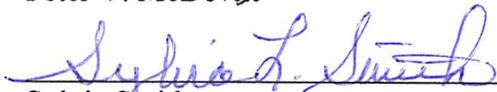
Dennis L. Dickinson, Chairman



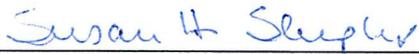
Claudia Braymer



Peter V. McDevitt



Sylvia Smith



Susan Shepler

2021 FOOTINGS

TOWN	COLUMN 1 TOWN TAXABLE	COLUMN 2 COUNTY TAXABLE	COLUMN 3 FIXED \$ EXEMPTS	COLUMN 4 TOTAL 2 + 3	COLUMN 5 PARTIAL EXEMPTS	COLUMN 6 GRAND TOTAL 4 + 5
BOLTON	1,898,243,000	1,896,583,582	0	1,896,583,582	10,998,291	1,907,581,873
CHESTER	750,928,506	750,928,506	1,500	750,930,006	24,516,239	775,446,245
GLENS FALLS	791,799,556	788,511,212	3,630	788,514,842	22,874,966	811,389,808
HAGUE	465,059,642	464,421,389	4,500	464,425,889	12,859,578	477,285,467
HORICON	659,559,592	659,559,592	9,200	659,568,792	12,916,283	672,485,075
JOHNSBURG	8,966,972	8,961,807	60	8,961,867	1,389,797	10,351,664
LAKE GEORGE INSIDE	268,614,679	265,308,939	0	265,308,939	5,139,583	270,448,522
OUTSIDE	1,122,177,689	1,120,836,713	0	1,120,836,713	16,285,318	1,137,122,031
TOTAL	1,390,792,368	1,386,145,652	0	1,386,145,652	21,424,901	1,407,570,553
LAKE LUZERNE	428,770,872	424,399,139	12,000	424,411,139	16,033,425	440,444,564
QUEENSBURY	4,041,384,863	4,049,804,850	18,700	4,049,823,550	116,015,278	4,165,838,828
STONY CREEK	1,358,425	1,354,365	2,350	1,356,715	352,285	1,709,000
THURMAN	168,621,265	167,425,919	1,500	167,427,419	43,339,881	210,767,300
WARRENSBURG	347,156,759	345,079,964	0	345,079,964	13,202,904	358,282,868
TOTAL	10,952,641,820	10,943,175,977	53,440	10,943,229,417	295,923,828	11,239,153,245

2021 District Totals

Town	Lighting District	Total	Fire District	Total	Water District	Total	Fire Protection	Total	Sewer District	Total	Misc	Total
Bolton		616,776,827		1,907,162,003								
Chester			Chester#2 Pottersville#3	538,412,019 185,868,673	Chester#1 Pottersville#2	37,460,099 10,144,087	North Creek Riverside	45,612,326 22,951,249	Loon Park Schroon Park Schroon Park - Exempt	243,025,361 65,982,599 5,711,500		
Hague		42,334,450						470,264,487				
Horicon								668,045,015	Schroon Park Schroon Park - Exempt	170,960,932 742,000		
Johnsburg				2,726,043		2,098,708		6,549,749			EMS	9,250,713
Lake George					D. Point Water	31,046,232	Lk George #1 Lk George #2	1,076,419,865 61,703,994	Caldwell Sch - Units Caldwell Other-Units Caldwell Capital Imp	2.00 6,019 198,996,400	EMS	1,403,460,489
Lake Luzerne	Lk Luzerne Hudson Grove Lk Vanare Whitcon Beach	105,370,269 17,093,755 10,224,513 13,913,321		440,772,904	Lk Luzerne Hudson Grove	159,111,802 17,103,814					EMS	440,772,904
Queensbury	Fort Amherst Cleverdale Pinewood South Qsby West Qsby Queensbury	21,495,647 128,135,300 4,195,700 87,322,424 199,740,224 891,516,028			Shore Colony Qsby Exempt Qsby Non-Exe	17,718,744 219,171,857 2,523,678,634		4,189,659,637	Reservoir - Units Gr.Qsby Cons SSD S Q/Q Ave - Units	25.00 20,051.79 1,123.80	Library EMS GL Protect Lk SS Pro DunBay1 DunBay2	4,187,939,732 4,187,939,732 334.35 175.04 60.00 11.00
Stony Creek								1,392,210				
Thurman								174,065,009				
Warrensburg		235,943,141		359,612,568								
Glens Falls											Library GF BID	824,294,960 62,044,055
Warren County									Benefit Sewer-Acres	62.11		