

PUBLIC SAFETY COMMITTEE
SHERIFF AGENDA
OCTOBER 18, 2021

COMMITTEE MEMBERS: Supervisors Diamond, Magowan, Braymer, Frasier, Shepler and Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C (4) of the Rules of the Board.

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Action Agenda/New Business Items:
 1. Request: Amend the County budget to reflect the appropriate revenue and expense codes for the first half of the 2021-2022 School Resource Officer agreements.
Rationale: Amendment is necessary to fund the budget codes for each School Resource Officer program.
 2. Request: Approval to exceed the approved 2020-2021 Queensbury Union Free School District School Resource Officer agreement amount of \$87,000 by \$11,667.79.
Rationale: Unexpected expenditures were made from Queensbury Union Free School District School Resource Officer budget codes due to SRO vacancies in 2020.
 3. Request: Transfer funds within the Sheriff's Office budget to address excessive expenditures in Queensbury Union Free School District School Resource Officer codes.
Rationale: Unexpected expenditures were made from Queensbury Union Free School District School Resource Officer budget codes due to SRO vacancies in 2020.
 4. Request: Amend the County budget to properly record 2020 School Resource Officer salary and fringe benefit expenditures for Queensbury Union Free School District and Johnsbury Central School.
Rationale: The 2020 salary and fringe expenses were not properly charged to the SRO cost centers for these two schools.
 5. Request: Enter into an agreement with New York State Division of Criminal Justice Services (DCJS) to establish an escrow account for civil fingerprint processing.
Rationale: The Sheriff's Office will utilize DCJS to complete electronic criminal history checks for Warren County pistol permit applicants. The escrow account will allow for receipt of payments from permit applicants.
- IV. Discussion Items:
 1. Non-Bargaining Unit Employee 2022 salary requests
 2. Approval to create and fill Investigative Sergeant #1
 3. Approval to create and fill Investigative Sergeant #2
- V. Referrals/Pending Items:

VI. Privilege of the floor and public comment (please allow for 15 second delay on live stream meetings)

VII. Motion to adjourn

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- Attachments:
1. Resolution Request Form No. 7 - Request to Amend County Budget (SRO Program)
 2. Resolution Request Form No. 20 - Miscellaneous (QUFSD SRO)
 3. Resolution Request Form No. 10 - Request for Transfer of Funds (QUFSD SRO)
 4. Resolution Request Form No. 7 - Request to Amend County Budget (SRO Program)
 5. Resolution Request Form No. 3 - Request for New Contract (NYS DCJS)

RESOLUTION REQUEST FORM NO. 7

Request to Amend County Budget*

**If this is the result of a grant award, also complete and submit Form No. 5 or 6*

DEPARTMENT NAME: Sheriff

DATE: October 18, 2021

(a) **Purpose of Amendment:** Amend County Budget to reflect appropriate revenues and expenses for the first half of the School Resource Officer contracts.

(b) **Appropriation Code, Object Code, Full Title and Amount:**

A.3120.1001 130 Sheriff's SRO's - Salaries Part Time (Hadley-Luzerne)	\$40,409
A.3120.1001 830 Sheriff's SRO's - Social Security (Hadley-Luzerne)	\$2,505
A.3120.1001 831 Sheriff's SRO's - Medicare (Hadley-Luzerne)	\$586
A.3120.1002 110 Sheriff's SRO's - Salaries Regular (Queensbury)	\$26,478
A.3120.1002 810 Sheriff's SRO's - Retirement (Queensbury)	\$8,367
A.3120.1002 830 Sheriff's SRO's - Social Security (Queensbury)	\$1,641
A.3120.1002 831 Sheriff's SRO's - Medicare (Queensbury)	\$384
A.3120.1002 860 Sheriff's SRO's - Hospitalization (Queensbury)	\$6,543
A.3120.1002 865 Sheriff's SRO's - Dental Insurance (Queensbury)	\$87
A.3120.1003 130 Sheriff's SRO's - Salaries Part Time (North Warren)	\$15,560
A.3120.1003 830 Sheriff's SRO's - Social Security (North Warren)	\$965
A.3120.1003 831 Sheriff's SRO's - Medicare (North Warren)	\$225
A.3120.1004 130 Sheriff's SRO's - Salaries Part Time (Lake George)	\$31,120
A.3120.1004 830 Sheriff's SRO's - Social Security (Lake George)	\$1,929
A.3120.1004 831 Sheriff's SRO's - Medicare (Lake George)	\$451
A.3120.1005 130 Sheriff's SRO's - Salaries Part Time (Bolton)	\$15,560
A.3120.1005 830 Sheriff's SRO's - Social Security (Bolton)	\$965
A.3120.1005 831 Sheriff's SRO's - Medicare (Bolton)	\$225
A.3120.1006 130 Sheriff's SRO's - Salaries Part Time (Johnsburg)	\$15,560
A.3120.1006 830 Sheriff's SRO's - Social Security (Johnsburg)	\$965
A.3120.1006 831 Sheriff's SRO's - Medicare (Johnsburg)	\$225

(c) **Revenue Code (with title), and amount:**

A.3120.1001 2260 Sheriff's SRO's - Other Govt (Hadley-Luzerne)	\$43,500
A.3120.1002 2260 Sheriff's SRO's - Other Govt (Queensbury)	\$43,500
A.3120.1003 2260 Sheriff's SRO's - Other Govt (North Warren)	\$16,750
A.3120.1004 2260 Sheriff's SRO's - Other Govt (Lake George)	\$33,500
A.3120.1005 2260 Sheriff's SRO's - Other Govt (Bolton)	\$16,750
A.3120.1006 2260 Sheriff's SRO's - Other Govt (Johnsburg)	\$16,750

RESOLUTION REQUEST FORM NO. 20

Miscellaneous

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Sheriff

DATE: October 18, 2021

- (a) **Purpose of Request:** Approval to exceed Queensbury Union Free School District SRO 2020-2021 agreement amount of \$87,000 by \$11,667.79.

- (b) **Details:** As a result of unexpected Queensbury Union Free School District School Resource Officer vacancies in 2020 a new full-time Patrol Officer was assigned to serve the school. This unexpected assignment generated excess expenditures.

- (c) **Previous Resolution Number:** N/A

- (d) **Where are Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:**

A.3110 110 General Sheriff's Law Enforcement - Salaries - Regular \$11,667.79

* as listed in budget and LOGOS

WARREN COUNTY TREASURER

Michael R. Swan
County Treasurer

Robert V. Lynch II, CPA
Deputy Treasurer

To: All Supervisors
From: Michael R. Swan, Treasurer
Date: August 26, 2021
Subject: Budget Analysis Report

Budget Analysis Report

The purpose of the monthly budget analysis report is to make the County Supervisors and Administration aware of certain issues that may present a problem in the near future or are currently a problem. It is important that appropriate action be taken to address these issues or concerns before they become a problem.

We have analyzed the revenue and expenditure budgets for the County departments as of July 31, 2021 and have noted the following items Supervisors should be aware of.

Revenues

County Clerk

County Clerk Fees – As of July 31, the department has received \$619,866 in County Clerk Fees in 2020 and \$854,997 in 2021 which is an increase of 38%. It should be noted that the 2021 amount is at 67% of the budget for this account so the actual revenue received is on target to exceed the budget.

Mortgage Tax – As of July 31, the department has received 1,206,352 in Mortgage Tax in 2020 and \$1,696,854 in 2021 which is an increase of 41%. It should be noted that the 2021 amount is at 85% of the budget for this account so the actual revenue received is on target to exceed the budget.

Automobile Use Tax – As of July 31, the department has received \$213,943 in Automobile Use Tax in 2020 and \$270,402 in 2021 which is an increase of 26%. It should be noted that the 2021 amount is through June and is at 57% of the budget for this account, so the actual revenue amount received is above the budget.

County Treasurer

Sales Tax – It has been noted that we have collected \$6,460,964 more in sales taxes as of July 31, 2021 than we did for the period as of July 31, 2020 which is a 23.1% increase. This increase would have been far greater if \$413,456 had not been withheld by the State for fiscally distressed health care facilities and \$10,386 had not been withheld by the State for the AIM funding to the Village of Lake George.

VLT/Tribal Compact Moneys (Casino) – We have not received our 4th quarter 2019 payment from the State as of the date of this report. We typically receive this payment in April. We have estimated the payment to be \$88,841. We have contacted the NYS Gaming Commission and they noted that they have not yet received the payment from the Mohawk Indians. We have also not received any payments for 2020 which is budgeted for \$420,000. It has been noted that the casino closed on March 17, 2020 and did not reopen until August 28, 2020 so there was no revenue to share for this time period. **We have also not received any payments for 2021 as of the date of this report. We budgeted \$375,000 in 2021 for this revenue.**

Tourism

Occupancy Tax – The department has collected \$650,497 more in occupancy taxes as of July 31, 2021 than we did as of July 31, 2020 which is a 99% increase which relates to the COVID pandemic. The department has collected \$131,928 more in occupancy taxes as of July 31, 2021 than we did as of July 31, 2019 which is an 11% increase.

Sheriff's Correction Division

Jail Services, Other Government – As of July 31, the department has received \$28,150 in Jail Services, Other Government in 2020 and \$250,601 in 2021 which is an increase of 790%. It should be noted that the 2021 amount is at 125% of the budget for this account so the actual revenue received has already exceeded the budget.

Building & Fire Code

Building Permits – As of July 31, the department received \$86,605 in building permits in 2020 and \$128,351 in 2021 which is an increase of 48%. It should be noted that the 2021 amount is at 63% of the budget for this account so that actual revenue received is on target to exceed the budget.

Health Services

Home Nursing Charges – As of July 31, the department has received \$1,433,219 in Home Nursing Charges in 2020 and \$1,393,981 in 2021 which is a decrease of 3%. It should be noted that the 2021 amount is through June and is at 34% of the budget for this account, so the actual revenue amount received is significantly below the budget.

Expenditures

Please see the attached Budget Exception report which summarizes budgeted expenditure line items where there is currently a problem or there may be a problem in the future. We are reporting on an exception basis only. **Over expended budget line items are highlighted in red.**

Resigned Employees

There is a practice that has been going on for numerous years with several departments that is costing the County money. Employees who have submitted their resignations and have started other employment are being allowed to extend their resignation date by using their accruals to stay on payroll in order to receive an additional month of County health insurance coverage. In these cases, the employee is actually working at their other job while being paid by the County for being on vacation. In cases where an employee was hired after December 12, 2012, they are also earning accruals while doing this. Another potential issue is the County could be liable for workers compensation costs if the former employee is hurt at the new job while still on the County payroll or disability costs if the former worker is hurt outside of work while still on County payroll. If an employee who is resigning has medical issues and needs to maintain their health insurance during the transition then they can stay on the County health insurance through COBRA. This issue has been brought up in the past to Human Resources.

If an employee has resigned then the resignation date should be their last day of actually working at the County and the employee will then be cashed out on any accruals that are owed. This will save the County money and any potential liability exposure. This issue is currently being reviewed by the County's executive team and a policy is expected to be developed for approval. **No corrective action has been taken as of the date of this report.**

School Resource Officers

The Sheriff Department overspent the 2020-21 contract with Queensbury School for school resource officer services by \$11,668. There is not supposed to be any cost to the County for these services so it is important for the department to closely monitor the costs so that they do not exceed the contracted amount and become a County cost.

Capital Projects

Departments are responsible for administering their capital projects and making sure that they are closed in a timely manner after completion. The following are capital projects where there has not been any recent activity and a determination should be made by the responsible department whether or not the project should be closed. This has been a recurring issue and the County has been written up in the past by our auditors.

<u>Office of Emergency Services</u>	<u>Date of Last Activity</u>	<u>Cash</u>	<u>Balance owed to Other funds/Govt</u>
H358-Hazard Mitigation Grant Program	10/2017	-	2,152
<u>Planning</u>			
H292-FWHC-Making the Connection	4/2018	-	21,189
H312-First Wilderness 2008	12/2017	14,194	-
H313-First Wilderness 2009	11/2018	8,032	-
H334-First Wilderness 2011	11/2017	6,931	109
H347-Invasive Species Boat Washing	12/2018	-	257

Notes:

1. H358, H292, H334 and H347 all have balances owed to other funds or other governments and will need funding transferred into the project so that the liabilities can be paid.
2. H334 is over budget and will need a budget amendment before it can be closed.

County Debt Balances

The following shows the County's current debt outstanding as of July 31, 2021 along with ending debt balances for future years:

	<u>Current Balance</u>	<u>End of 2021 Balance</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025-2029</u>	<u>2030-2034</u>
<u>Bonds</u>							
Pub Safety Bldg & Com Upgrade	2,165,000	2,165,000	1,085,000	-	-	-	-
Recovery Act Bonds, Various Proj	12,305,000	11,630,000	10,935,000	10,205,000	9,445,000	5,200,000	-
Court Expansion - 2015	6,260,000	6,260,000	5,890,000	5,510,000	5,120,000	2,995,000	530,000
Court Expansion - 2017	7,030,000	7,030,000	6,665,000	6,290,000	5,910,000	3,865,000	1,550,000
SUNY Adirondack NSTEM - 2017	4,765,000	4,765,000	4,515,000	4,260,000	4,000,000	2,615,000	1,050,000
<u>Capital Leases</u>							
Municipal Center Energy Project	539,914	279,883	-	-	-	-	-
Countryside Adult Home Energy Proj	22,729	7,629	-	-	-	-	-
Total Outstanding	33,087,643	32,137,512	29,090,000	26,265,000	24,475,000	14,675,000	3,130,000

Again, we invite comments from Supervisors and department heads to expand this into a more useful management tool in these critical financial times.

RESOLUTION REQUEST FORM NO. 10

Request for Transfer of Funds

TO: AMANDA ALLEN, CLERK, WARREN COUNTY BOARD OF SUPERVISORS

DEPARTMENT NAME: SHERIFF

SIGNED: _____

DATE: OCTOBER 18, 2021

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.3110 110	Law Enforcement Salaries - Regular	A.3120 110	Law Enforcement - SRO - Qby - Salaries	\$6,936.85
A.3110 110	Law Enforcement Salaries - Regular	A.3120 810	Law Enforcement - SRO - Qby - Retire	\$2,192.05
A.3110 110	Law Enforcement Salaries - Regular	A.3120 830	Law Enforcement - SRO - Qby - Soc Sec	\$430.08
A.3110 110	Law Enforcement Salaries - Regular	A.3120 831	Law Enforcement - SRO - Qby - Medicare	\$100.59
A.3110 110	Law Enforcement Salaries - Regular	A.3120 860	Law Enforcement - SRO - Qby - Hospital	\$1,980.47
A.3110 110	Law Enforcement Salaries - Regular	A.3120 865	Law Enforcement - SRO - Qby - Dental	\$27.75

Please state reason for transfers requested: Queensbury Union Free School District SRO expenditures exceeded the agreement.

CONTINGENT FUND TRANSFER REQUESTS

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
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Please state reason for transfers requested:

Please file original request with Clerk of the Board and retain copy for your records.

RESOLUTION REQUEST FORM NO. 7

Request to Amend County Budget*

**If this is the result of a grant award, also complete and submit Form No. 5 or 6*

DEPARTMENT NAME: Sheriff

DATE: October 18, 2021

- (a) **Purpose of Amendment:** Amend County Budget to reflect appropriate revenues and expenses for the Queensbury Union Free School District and Johnsbury Central School District School Resource Officer relating to the recording of 2020 salary and fringe in 2021. These expenditures were not properly charged to the SRO cost centers in 2020.

(b) **Appropriation Code, Object Code, Full Title and Amount:**

A.3120.1002 110	Sheriff's SRO's - Salaries Regular (Queensbury)	\$20,462.67
A.3120.1002 810	Sheriff's SRO's - Retirement (Queensbury)	\$5,545.38
A.3120.1002 830	Sheriff's SRO's - Social Security (Queensbury)	\$1,268.69
A.3120.1002 831	Sheriff's SRO's - Medicare (Queensbury)	\$296.71
A.3120.1002 860	Sheriff's SRO's - Hospitalization (Queensbury)	\$5,088.11
A.3120.1002 865	Sheriff's SRO's - Dental Insurance (Queensbury)	\$67.37
A.3120.1006 130	Sheriff's SRO's - Salaries Part-Time (Johnsbury)	\$10,992.33
A.3120.1006 830	Sheriff's SRO's - Social Security (Johnsbury)	\$681.52
A.3120.1006 831	Sheriff's SRO's - Medicare (Johnsbury)	\$159.39

(c) **Revenue Code (with title), and amount:**

A.3120.1002 2260	General Sheriff's Law Enforcement School Resource Officers Queensbury School District Public Safety - Other Govt	\$32,728.93
A.3120.1006 2260	General Sheriff's Law Enforcement School Resource Officers Johnsbury Central School District Public Safety - Other Govt	\$11,833.24

LaFarr, Jim

From: Lynch, Rob <lynchr@warrencountyny.gov>
Sent: Wednesday, September 29, 2021 8:23 AM
To: LaFarr, Jim
Cc: Comeau, Terry
Subject: School Resource Officers - Queensbury and Johnsbury
Attachments: School Resource Officers - July 1, 2020 to June 30, 2021, Queensbury and Johnsbury (Corrected).xlsx

Jim,

You also need to do a resolution request to amend budgets for Queensbury and Johnsbury school SRO's relating to the recording of 2020 salary and fringe in 2021 which was not charged to the SRO cost centers in 2020. Please see attached and amend for the highlighted lines to increase the appropriations and revenue codes. Thanks.

Robert V. Lynch II, CPA
Deputy Treasurer
Warren County Treasurer Department
1340 State Route 9
Lake George, NY 12845
Phone: (518) 761-6380

Warren County
 School Resource Officers
 7/1/20 to 6/30/21

Sheriff Department did not charge the following costs to SRO sub department codes during the entire contract year

Queensbury School - A.3120.1002

	110	120	830	831	810	860	865	
George Carpenter (Full time)	Salary	Overtime	FICA	Medicare	Retirement	Hospitalization	Dental	Total
9/8/20 to 12/31/20	20,462.67	-	1,268.69	296.71	5,545.38	5,088.11	67.37	32,728.93
1/1/21 to 6/30/21	32,148.24	2,992.87	2,178.75	509.55	10,313.92	8,268.18	109.47	56,520.97
	<u>52,610.91</u>	<u>2,992.87</u>	<u>3,447.43</u>	<u>806.25</u>	<u>15,859.30</u>	<u>13,356.29</u>	<u>176.84</u>	<u>89,249.90</u>

Johnsburg School - A.3120.1006

	130	120	830	831	810	860	865	
Robert Gould	Salary-PT	Overtime	FICA	Medicare	Retirement	Hospitalization	Dental	Total
9/8/20 to 12/31/20	10,992.33	-	681.52	159.39	-	-	-	11,833.24
1/1/21 to 6/30/21	16,645.77	-	1,032.04	241.36	-	-	-	17,919.17
	<u>27,638.10</u>	<u>-</u>	<u>1,713.56</u>	<u>400.75</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>29,752.41</u>

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: Sheriff

DATE: October 18, 2021

- (a) Is this a Result of a Bid or Request for Proposal?** No
- (b) Purpose of Contract:** Establish an escrow account with New York State Division of Criminal Justice Services (DCJS) for pistol permit fingerprint payments
- (c) Name of Contractor:** New York State Division of Criminal Justice Services
- (d) Address of Contractor:** 80 South Swan Street, Albany NY 12210
- (e) Contractor's Contact Person and Telephone Number:** Mark Williams
Senior Budgeting Analyst
(518) 485-7976
- (f) Has or will the Contract be provided, if so, please attach:** Yes
- (g) Commencement Date of Contract:** Upon Execution
- (h) Termination Date of Contract:** Agreement shall remain in full force and effect unless amended by mutual agreement
- (i) Payment Provisions:**
 - i) lump sum amount** \$300.00
 - ii) hourly rate amount**
 - iii) total amount not to exceed**
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.)**
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: OR Capital Project OR Capital Reserve Project Number, Title, and Amount:**

* Budget code to be created by Treasurer's Office

* as listed in budget and LOGOS



Division of Criminal
Justice Services

KATHY HOCHUL
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

BRAD STEVENS
Director of Finance

September 23, 2021

Monica Girard
Warren County Sheriff's Office
1400 State Rte. 9
Lake George, NY 12845

Dear Ms. Girard:

Enclosed is the Letter of Agreement for setting up the Fingerprint Escrow Account for payment of criminal history record searches. It is necessary to secure authorized signatory approval of this document by the Warren County Sheriff's Office as a basis for establishing our mutual responsibilities in this area.

Upon return of the approved Letter of Agreement, a required initial deposit amount of **\$300.00** must be received in order for the Division of Criminal Justice Services (DCJS) to establish your account.

If you have any questions, please contact Mark Williams at (518) 485-7976.

Very truly yours,

A handwritten signature in black ink that reads "Mark Williams".

Mark Williams
Senior Budgeting Analyst

Enclosure



Division of Criminal
Justice Services

KATHY HOCHUL
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

BRAD STEVENS
Director of Finance

September 23, 2021

Monica Girard
Warren County Sheriff's Office
1400 State Rte. 9
Lake George, NY 12845

Dear Ms. Girard:

The New York State Division of Criminal Justice Services, hereinafter called "DCJS", at Alfred E. Smith Office Building, 80 South Swan St, Albany, New York and Warren County Sheriff's Office, hereinafter called "User", at 1400 State Rte. 9, Lake George, NY 12845 agree to establish, maintain and debit a Fingerprint Escrow Account, hereinafter called "Account", for the payment of certain services. Both of the foregoing are collectively referred to as the "Parties".

Pursuant to Executive Law §837(8-a), DCJS shall charge a fee when it conducts a fingerprint-based search of its criminal history records and returns a report thereon in connection with applications for employment, licenses or permits. DCJS has adopted a rule, which has the force and effect of law, governing access to criminal history record information and fees for conducting criminal history record searches, specifically 9 NYCRR Part 6051. This rule establishes fees for conducting a fingerprint-based search of DCJS' criminal history records and returning a report thereon, which require that payment for such services shall be made by electronic transfer of funds, postal money order, Western Union, Integrated Payment Systems, bank, American Express, or Travelers Express money orders, corporate check, or governmental check, unless otherwise provided by agreement. Arrangements for electronic payments may be initiated by User. The foregoing payment methods are collectively referred to as "Authorized Instrument."

When User electronically submits fingerprints using Livescan or Cardscan, DCJS will conduct a search of the criminal history records maintained by it. User must agree to establish an Account so that payment may be made in a manner other than by individual payment. DCJS agrees to permit payment in a manner other than by individual payment under the following terms and conditions:

Payment for services shall be made by electronic transfer of funds; postal money order; Western Union, Integrated Payment Systems, bank, American Express, or Travelers Express money orders; corporate check; or governmental check, unless otherwise provided by agreement. Bank money orders must be issued by a bank chartered in the United States, must be payable in U.S. funds, and must be valid for at least 90 days from the date of issuance. A \$25 service charge may be imposed for all checks that are returned due to insufficient funds. The Commissioner of DCJS, or his or her designee, may refuse to accept a certain form of payment if, on prior requests, that form of payment has been uncollectible. Electronic transfers are the preferred method of payment. To make arrangement for electronic payment, please contact Mark Williams at mark.williams@dcjs.ny.gov. Other remittances shall be made payable to DCJS and directed to the NYS Division of Criminal Justice Services, Attn: Office of Financial Services, Alfred E. Smith Office Building-10th Floor, 80 South Swan St, Albany, NY 12210.

A. User's Duties

1. User agrees to make an initial deposit, termed **Required Deposit Amount**, based on a user's estimate of the number of prints to be submitted on a monthly basis via Livescan or CardScan multiplied by the required fee. Authorized Instrument shall be made payable to the order of the "New York State Division of Criminal Justice Services", which will be placed into the Account. **The User agrees that, based on actual and/or projected submissions and time periods for replenishing the Account, the Required Deposit Amount may be adjusted by DCJS and User will provide such amount.**
2. User agrees to replenish the funds in the Account to the level of the Required Deposit Amount each time it submits prints to DCJS. Such replenishment shall be by Authorized Instrument payable to the order of the "New York State Division of Criminal Justice Services".
3. User authorizes DCJS to debit the Account in the amount set forth in 9 NYCRR Part 6051 of DCJS' rule for each fingerprint submitted for a fingerprint-based search of DCJS' criminal history records.
4. User agrees that DCJS shall not process submitted fingerprints if the Account balance is insufficient to cover the required fee.
5. User agrees to provide the Office of Financial Services at DCJS with written notification regarding a change of address or change in the User's name.

B. DCJS' Duties

1. DCJS agrees to place the funds received pursuant to this Letter of Agreement in a non-interest bearing account within the State Treasury of the State of New York.
2. DCJS reserves the right to adjust the Required Deposit Amount to be maintained in the Account based on the actual and/or projected usage of the Account by the User.
3. DCJS agrees to provide User, on a periodic basis, with a statement indicating account activity.
4. DCJS agrees to provide User access to our eJusticeNY Integrated Justice Portal to monitor their Account balances and fingerprint reports.
5. If a fingerprint transaction, submitted electronically to DCJS via Livescan or Cardscan, is rejected, DCJS will return an electronic rejection including the rejection reason to the User. In all cases, DCJS will retain the original payment and apply it to the processing of the resubmitted fingerprint.
6. DCJS agrees it will provide User with a unique authorization code. Use of such code by User shall provide the necessary authorization for DCJS to debit the Account.

C. Terms and Cancellation

1. This Letter of Agreement shall continue until terminated by either DCJS or User.
2. This Letter of Agreement may be terminated by either party by serving a written notice of termination thirty (30) calendar days in advance of such cancellation. In the event of termination, the User shall not submit additional fingerprints to be charged against the Account after the effective date of the termination. DCJS shall provide a final accounting and request a refund be issued by the Office of the State Comptroller for the balance in the Account within thirty (30) calendar days after the termination.
3. This Letter of Agreement may be immediately terminated by DCJS if the User engages in any misuse of authority, misrepresentation or conduct that may be deemed detrimental to the State of New York.

D. Miscellaneous

1. This Letter of Agreement sets forth the entire understanding of the Parties with respect to the Account to be established hereunder and may not be altered or amended except in writing signed by the Parties hereto.

By execution of this Letter of Agreement by an authorized signatory to enter into contractual agreements, with proper notarization, both Parties have accepted the terms and conditions of this Letter of Agreement, including, but not limited to, the above conditions for the Account.

Please indicate acceptance of this Letter of Agreement by having an authorized signatory execute the Letter of Agreement with notary acknowledgment and return the original to the attention of Mr. Mark Williams, Alfred E. Smith Office Building - Finance 10th Floor, 80 South Swan Street, Albany, NY 12210. Your authorization code will be forwarded to you upon receipt.

Very truly yours,



Brad Stevens
Director of Financial Administration

User Acceptance of Letter of Agreement:

BY: _____

TITLE: _____

ENTITY: _____

DATE: _____

FEDERAL ID#: _____

ACKNOWLEDGMENT CLAUSE

State of _____)

)ss.:

County of _____)

On the _____ day of _____ in the year _____ before me personally appeared _____ to me known, who, being by me duly sworn, depose and say that she/he is the _____ of the _____, the entity which executed the above instrument; that she/he was authorized by and did execute the same at the direction of said entity and that she/he signed her/his name thereto.

Notary Public

USER INFORMATION*

Business Entity: _____

Primary Contact: _____

Telephone Number: () _____

Fax Number: () _____

Email address: _____

2nd Contact: _____

Telephone Number: () _____

Email address: _____

***Please Promptly Submit Updated User Forms as Changes Occur**

RESOLUTION REQUEST FORM NO. 11

Request to Create New Position

DEPARTMENT NAME: Sheriff

DATE: October 18, 2021

- (a) **Title of Requested Position:** Investigative Sergeant #1
- (b) **Annual Base Salary (and Grade of Applicable):** \$84,503
- (c) **Effective Date for New Position:***
***Please do not backdate unless the purpose is to correct an error.**

Upon Approval of the Board of Supervisors

- (d) **List Any Position in the Department's Table of Organization Being Deleted as a Result of this Request (Include annual salary and grade if applicable):**

Investigative Sergeant

- (e) **Where are Funds in the Budget for this Position? List Budget Code, Object Code, Full Title and Amount:**

A.3110 110 General Sheriff's Law Enforcement - Salaries - Regular

- (f) **Has Personnel Officer Reviewed and Approved of the New Position Title?:** No
(This is necessary BEFORE bringing the request to committees.)
- (g) **Is this a mandated position? If so, please explain:** No
- (h) **Is there expected revenue from this position? If so, please explain:** No

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Sheriff Payroll Dept. No: 30.00
Title of Position: Investigative Sergeant #1 Base Salary of Position: \$84,503 \$82,495 Grade: _____
Filling at Step # (If Known): _____
Budget code and title: A.3110 110 Sheriff's Law Enforcement Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 9116/Lail Date of Vacancy: March 29, 2021
Is this position mandated? Yes No Is the position reimbursable? Yes No
Source of reimbursement: Federal _____% State _____% Other _____%

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other _____

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring. Ray 10/19/21

Human Resources Director has approved this form when initialed. 17 10/19/21

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

- The Administrator has no objection to the filling of the vacancy.
 The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature] Date 10/19/21

BUDGET OFFICER COMPLETES THIS SECTION

- The Budget Officer has no objection to the filling of the vacancy.
 The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature Frank E. Thorwood Date 10/22/21

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Public Safety

- The committee has no objection to the filling of the vacancy.
 The committee objects to the filling of the vacancy.
 In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.
 In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature] Date 1/2/2021

RESOLUTION REQUEST FORM NO. 11

Request to Create New Position

DEPARTMENT NAME: Sheriff

DATE: October 18, 2021

- (a) **Title of Requested Position:** Investigative Sergeant #2
- (b) **Annual Base Salary (and Grade of Applicable):** \$84,503
- (c) **Effective Date for New Position:***
***Please do not backdate unless the purpose is to correct an error.**

Upon Approval of the Board of Supervisors

- (d) **List Any Position in the Department's Table of Organization Being Deleted as a Result of this Request (Include annual salary and grade if applicable):**

Investigator #3

- (e) **Where are Funds in the Budget for this Position? List Budget Code, Object Code, Full Title and Amount:**
A.3110 110 General Sheriff's Law Enforcement - Salaries - Regular
- (f) **Has Personnel Officer Reviewed and Approved of the New Position Title?:** No
(This is necessary BEFORE bringing the request to committees.)
- (g) **Is this a mandated position? If so, please explain:** No
- (h) **Is there expected revenue from this position? If so, please explain:** No

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Sheriff Payroll Dept. No: 30.00
Title of Position: Investigative Sergeant #2 Base Salary of Position: \$84,503 \$82,495 Grade: _____
Filling at Step # (If Known): _____
Budget code and title: A.3110 110 Sheriff's Law Enforcement Salaries - Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: N/A (Reclassification) Date of Vacancy: October 2021
Is this position mandated? Yes No Is the position reimbursable? Yes No
Source of reimbursement: Federal _____% State _____% Other _____%

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other _____
Actual Impact to Budget Report will be provided monthly by Human Resources Director.
Candidate's qualifications must be approved by Personnel Officer prior to hiring. Done 10/19/21
Human Resources Director has approved this form when initialed. 10/19/21

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.
 The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature] Date 10/19/21

BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.
 The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature Frank E. Thomas Date 10/22/21

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Public Safety

The committee has no objection to the filling of the vacancy.
 The committee objects to the filling of the vacancy.
 In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.
 In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature] Date 11/2/21