

Warren County Board of Supervisors

AGENDA
FRIDAY JULY 15, 2022
BOARD MEETING
REVISED



10:00 a.m. Call Meeting to Order

Pledge of Allegiance - Supervisor Merlino

Roll Call

Motion to approve minutes of the June 30, 2022 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:

John Lord, Child Protective Services Supervisor
Scott Rogers, Director of Facilities

Chair declares public hearing open on the proposed adoption of a tentative operating budget for Adirondack Community College for the fiscal year 2022-23, and requests Clerk of the Board read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

Chair declares public hearing open on Proposed Local Law No. 2 of 2022, Enacting Local Law No. 2 of 2022, Entitled "A Local Law Amending and Updating Local Law No. 6 of 2021, 'A Local Law Amending and Updating Local Law No. 5 of 2021, a Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law'", and requests Clerk of the Board read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard on this matter

Privilege of the Floor and Public Comment

Report of the Chairman of the Board

Reports by Committee Chairs

Report of County Administrator

Report of 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>
PR30		PROCLAMATION - PARKS AND RECREATION MONTH
318	ROLL CALL	FINANCE - MAKING SUPPLEMENTAL APPROPRIATIONS
319	ROLL CALL	FINANCE - AMENDING WARREN COUNTY BUDGET FOR 2022 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY
320	ROLL CALL	ARPA ADVISORY - AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION FOR DISTRIBUTION TO WORKERS SEEKING ASSISTANCE FOR PUBLIC TRANSPORTATION IN WARREN COUNTY; AND AMENDING WARREN COUNTY BUDGET FOR 2022
321	ROLL CALL	ARPA ADVISORY - AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION TO PROVIDE FREE OR REDUCED COST JOB SKILL TRAINING TO WARREN COUNTY RESIDENTS; AND AMENDING WARREN COUNTY BUDGET FOR 2022
322	ROLL CALL	ARPA ADVISORY - AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION FOR DISTRIBUTION SUBJECT TO APPROVAL OF A PLAN FOR WORKFORCE DEVELOPMENT AND INDIVIDUAL WORKER JOB TRAINING IN WARREN COUNTY; AND AMENDING WARREN COUNTY BUDGET FOR 2022
323	ROLL CALL	ARPA ADVISORY - AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION FOR A NEW POSITION TO BE CREATED FOR THE PURPOSE OF SUPPORTING PUBLIC SECTOR CAPACITY AND WORKFORCE, AS WELL AS TO ASSIST HIGH SCHOOL AGED STUDENTS AND GRADUATES NEGATIVELY IMPACTED BY THE PANDEMIC; AND AMENDING WARREN COUNTY BUDGET FOR 2022
324	ROLL CALL	ARPA ADVISORY - AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT FOR STUDIES ON THE WARREN COUNTY BIKEWAY CONCERNING CONNECTION FEASIBILITY AND SAFETY IMPROVEMENTS; AND AMENDING WARREN COUNTY BUDGET FOR 2022

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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
325	ROLL CALL	ARPA ADVISORY - AUTHORIZING ARPA FUNDS DISBURSEMENT TO THE GREATER GLENS FALLS TRANSIT; AND AMENDING WARREN COUNTY BUDGET FOR 2022
326		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>ASSIGNED COUNSEL</i>) - AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH ALBANY, SARATOGA AND SCHENECTADY COUNTIES FOR ASSIGNED COUNSEL PROGRAM COLLABORATION IN IMPROVING INDIGENT DEFENSE SERVICES IN THE CAPITAL REGION
327		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>) - AMENDING RESOLUTION NO. 176 OF 2022, APPOINTING MEMBERS OF WARREN COUNTY EMS ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES, TO ADJUST MEMBERSHIP
328		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>OFFICE OF EMERGENCY SERVICES</i>)- ADOPTING THE WARREN COUNTY EXCESSIVE HEAT PLAN
329		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>PROBATION</i>)- AUTHORIZING AGREEMENT WITH WASHINGTON COUNTY ALTERNATIVE SENTENCING TO PROVIDE RESTORATIVE JUSTICE SERVICES IN ASSOCIATION WITH RAISE THE AGE FUNDING FOR THE PROBATION DEPARTMENT
330		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>PROBATION</i>)- AUTHORIZING AGREEMENT WITH MEDIATION MATTERS TO PROVIDE RESTORATIVE JUSTICE SERVICES IN ASSOCIATION WITH RAISE THE AGE FUNDING FOR THE PROBATION DEPARTMENT
331		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>PROBATION</i>)- AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH THE AIDS COUNCIL OF NORTHEASTERN NEW YORK D/B/A ALLIANCE FOR POSITIVE HEALTH TO PROVIDE NARCAN TRAINING AND SUPPLIES IN ASSOCIATION WITH THE OPIOID OVERDOSE PREVENTION PROGRAM FOR THE PROBATION DEPARTMENT
332		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>PROBATION</i>)- AUTHORIZING PAYMENT TO ANTHONY RODRIGUEZ FOR PROVIDING INTERPRETER SERVICES ON BEHALF OF THE PROBATION DEPARTMENT

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333		CRIMINAL JUSTICE & PUBLIC SAFETY (<i>SHERIFF</i>) - AUTHORIZING THE WARREN COUNTY SHERIFF TO EXECUTE AN AGREEMENT WITH THE GREAT ESCAPE THEME PARK (SIX FLAGS) FOR LIMITED POLICE PRESENCE
334		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - AMENDING AGREEMENT WITH L&S ENERGY SERVICES TO CONDUCT A LEVEL 2 ENERGY AUDIT FOR THE WARREN COUNTY MUNICIPAL CENTER, TO INCREASE THE NOT TO EXCEED AMOUNT AND EXTEND THE TERMINATION DATE
335		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - RESCINDING RESOLUTION NO. 475 OF 2009, WHICH AUTHORIZED USE OF COUNTY GIS SERVICES BY MUNICIPALITIES IN WARREN COUNTY IN RETURN FOR CERTAIN PAYMENT AND AUTHORIZING INTERMUNICIPAL AGREEMENTS REGARDING THE SAME
336		ECONOMIC GROWTH & DEVELOPMENT (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - RESCINDING RESOLUTION NO. 650 OF 2012, WHICH ESTABLISHED THE STATE BILL RATE FOR GIS SERVICES FOR NON-GOVERNMENT ENTITIES
337		HEALTH SERVICES (<i>OFFICE OF COMMUNITY SERVICES</i>) - AMENDING RESOLUTION NO. 533 OF 2021, WHICH AUTHORIZED AGREEMENTS WITH COMMUNITY SERVICES BOARD AND VARIOUS AGENCIES TO PROVIDE SPECIALIZED MENTAL HEALTH CRISIS RESPITE SERVICES FOR YOUTH, TO CHANGE THE NOT TO EXCEED AMOUNT AND ADD NEW CONTRACTS
338		HEALTH SERVICES (<i>PUBLIC HEALTH</i>) - AUTHORIZING AGREEMENT WITH MAGGIE WOOD, OCCUPATIONAL THERAPIST D/B/A MAGGIE WOOD TO PROVIDE COMMITTEE PRESCHOOL SPECIAL EDUCATION (CPSE) SERVICES TO ELIGIBLE WARREN COUNTY CHILDREN
339		HEALTH SERVICES (<i>PUBLIC HEALTH</i>) - AUTHORIZING AGREEMENT WITH MAGGIE WOOD TO PROVIDE OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT

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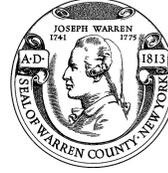
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340		HEALTH SERVICES (<i>PUBLIC HEALTH</i>) - AUTHORIZING AGREEMENT WITH GAYLE PLISCOFSKY, OCCUPATIONAL THERAPIST D/B/A GAYLE PLISCOFSKY TO PROVIDE COMMITTEE PRESCHOOL SPECIAL EDUCATION (CPSE) SERVICES TO ELIGIBLE WARREN COUNTY CHILDREN
341		HUMAN SERVICES (<i>DEPARTMENT OF SOCIAL SERVICES</i>) - AUTHORIZING SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FY2022 PROCESS AND TECHNOLOGY IMPROVEMENT GRANT FUNDING
342		LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS (<i>COUNTY CLERK</i>) - RENEWING NEW YORK STATE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1) AND ADOPTING LGS-1 AS THE COUNTY SUBJECT MATTER LIST
343		LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS (<i>INFORMATION TECHNOLOGY</i>) - AUTHORIZING AGREEMENT WITH VINYL DEVELOPMENT, LLC D/B/A ZUDY TO PROVIDE A PROGRAMMING TOOL FOR THE INFORMATION TECHNOLOGY DEPARTMENT
344		LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS (<i>LEGISLATIVE & RULES</i>) - ADOPTING 2022 WARREN COUNTY MISSION STATEMENT
345		LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS (<i>PURCHASING</i>) - ADOPTING THE 2022 PURCHASING POLICY FOR WARREN COUNTY
346		OCCUPANCY TAX COORDINATION - AMENDING RESOLUTION NO. 570 OF 2021, AUTHORIZING AGREEMENTS WITH CERTAIN APPLICANTS FOR THE DISBURSEMENT OF 2022 OCCUPANCY TAX REVENUES, TO AUTHORIZE AGREEMENTS AND FUNDING TO WARRENSBURG BIKE RALLY AND ADIRONDACK CHRISTKINDLMARKT
347		OCCUPANCY TAX COORDINATION - AMENDING AGREEMENT WITH CLIFF & REDFIELD INTERACTIVE TO PRODUCE ARTICLES AND CONTENT AIMED AT HIGHLIGHTING THE FIRST WILDERNESS HERITAGE CORRIDOR, TO INCLUDE A MARKETING AND COMMUNICATIONS PLAN

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348		PUBLIC WORKS (PARKS, RECREATION & RAILROAD) - AUTHORIZING RENEWAL OF AGREEMENTS WITH THE CITY OF GLENS FALLS AND SOUTH WARREN SNOWMOBILE CLUB, INC. PROVIDING FOR THE LICENSING OF USE OF TRAILS OWNED BY THE CITY OF GLENS FALLS AND TRAIL DEVELOPMENT AND MAINTENANCE
349	ROLL CALL	PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2022 TO CREATE/DELETE POSITIONS FOR THE COUNTY ATTORNEY; PUBLIC DEFENDER; AND COUNTY CLERK
350	ROLL CALL	PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2022 TO ADJUST POSITIONS FOR THE PUBLIC DEFENDER; AND COUNTRYSIDE ADULT HOME
351		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - ADOPTING AMENDED WARREN COUNTY TRAVEL, EDUCATION AND VEHICLE USE POLICY
352		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION (CLERK OF THE BOARD) - AMENDING RESOLUTION NO. 31 OF 2022, APPOINTING MEMBERS TO THE WARREN-WASHINGTON COUNTIES INDUSTRIAL DEVELOPMENT AGENCY AND CIVIC DEVELOPMENT CORPORATION, TO FILL A VACANCY DUE TO RESIGNATION
353	ROLL CALL	PERSONNEL, ADMINISTRATION & HIGHER EDUCATION (COUNTY ATTORNEY) - ENACTING LOCAL LAW NO. 2 OF 2022, ENTITLED "A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2021, 'A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 5 OF 2021, A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2014, WARREN COUNTY ETHICS AND DISCLOSURE LAW'" RESOLUTION AMENDED FROM THE FLOOR
354		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION (HUMAN RESOURCES) - ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH MARSHALL & STERLING EMPLOYEE BENEFITS, INC. FOR HEALTH INSURANCE BROKER SERVICES (WC 32-22)

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355	ROLL CALL	FINANCE (AIRPORT) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE AIRPORT BUDGET; AMENDING 2022 WARREN COUNTY BUDGET; AND AUTHORIZING PAYMENT TO FOREST ENTERPRISES MANAGEMENT, INC.
356		FINANCE (BUILDINGS & GROUNDS) - AUTHORIZING COUNTY TREASURER TO CLOSE RESERVE FUNDS
357		FINANCE (COUNTY ADMINISTRATOR) - EXTENDING AGREEMENT WITH NATIONAL BUSINESS EQUIPMENT & SUPPLY, LLC FOR PRINT/COPY/FAX/SCAN OUTPUT ASSESSMENT, CONSOLIDATION OF OFFICE EQUIPMENT AND CONTRACT FOR MULTI-FUNCTION COPIERS ON A COST PER COPY BASIS (WC 49-11)
358		FINANCE (COUNTY ADMINISTRATOR) - ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH NATIONAL BUSINESS EQUIPMENT & SUPPLY, LLC FOR LEASE OF PRINTERS AND MULTI-FUNCTION COPIERS ON A COST PER COPY BASIS (WC 36-22)
359	ROLL CALL	FINANCE (COUNTY ATTORNEY) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE COUNTY ATTORNEY'S BUDGET TO COVER THE COST OF THE COUNTY'S INSURANCE DEDUCTIBLE IN THE MATTER OF QUESTOR FRENCH V. DEREK WILLIAMS; AMENDING 2022 WARREN COUNTY BUDGET
360		FINANCE (COUNTY TREASURER) - AUTHORIZING THE COUNTY TREASURER TO RECORD PREMIUM RECEIVED ON ISSUANCE OF 2022 \$7.9 MILLION BOND ANTICIPATION NOTES (BAN) INTO RESERVE FOR DEBT
361	ROLL CALL	FINANCE (DPW) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE PUBLIC WORKS BUDGET TO COVER THE INCREASING COST OF FUEL; AND AMENDING 2022 WARREN COUNTY BUDGET
362	ROLL CALL	FINANCE (INFORMATION TECHNOLOGY) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS; AMENDING 2022 WARREN COUNTY BUDGET

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363	ROLL CALL	FINANCE (<i>OCCUPANCY TAX COORDINATION</i>) - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE OCCUPANCY TAX RESERVE TO THE TOURISM AND PLANNING & COMMUNITY DEVELOPMENT BUDGETS; AMENDING 2022 WARREN COUNTY BUDGET
364		FINANCE (<i>PLANNING & COMMUNITY DEVELOPMENT</i>) - AUTHORIZING COUNTY TREASURER TO CLOSE CAPITAL PROJECT
365		SUPERVISORS LEGGETT AND STROUGH - WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE DISTRIBUTED TO THE BOARD NO LATER THAN THE TUESDAY BEFORE THE BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION
366	ROLL CALL	FINANCE - ADOPTING AND APPROVING ADIRONDACK COMMUNITY COLLEGE OPERATING BUDGET FOR FISCAL YEAR 2022 - 2023
367		SUPERVISORS MERLINO AND THOMAS - WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE DISTRIBUTED TO THE BOARD NO LATER THAN THE TUESDAY BEFORE THE BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION AUTHORIZING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. (CSEA), TO INCLUDE A NEGOTIATED INTERIM WAGE INCREASE
368		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - AUTHORIZING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. (CSEA), TO INCLUDE A NEGOTIATED INTERIM WAGE INCREASE
369		SUPERVISORS MAGOWAN AND THOMAS - WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE DISTRIBUTED TO THE BOARD NO LATER THAN THE TUESDAY BEFORE THE BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION APPROVING THE RECOMMENDATIONS OF THE REALLOCATION COMMITTEE
370		PERSONNEL, ADMINISTRATION & HIGHER EDUCATION - APPROVING THE RECOMMENDATIONS OF THE REALLOCATION COMMITTEE

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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
371		SUPERVISORS BRUNO AND STROUGH - WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE APPROVED THROUGH THE ESTABLISHED COMMITTEE STRUCTURE IN ADVANCE OF A BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS
372	ROLL CALL	SUPERVISORS BRAYMER AND DRISCOLL - APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS
373		SUPERVISORS FRASIER AND RUNYON - WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE APPROVED THROUGH THE ESTABLISHED COMMITTEE STRUCTURE IN ADVANCE OF A BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS
374	ROLL CALL	SUPERVISORS THOMAS AND RUNYON - APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS
375		SUPERVISORS WILD AND LEGGETT - WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE APPROVED THROUGH THE ESTABLISHED COMMITTEE STRUCTURE IN ADVANCE OF A BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH INVASIVE SOLUTIONS DIVE COMPANY, LLC FOR SCHROON LAKE AQUATIC INVASIVE SPECIES CONTROL PROGRAM - PLANT MANAGEMENT (WC 41-22)
376		SUPERVISORS FRASIER AND WILD - ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH INVASIVE SOLUTIONS DIVE COMPANY, LLC FOR SCHROON LAKE AQUATIC INVASIVE SPECIES CONTROL PROGRAM - PLANT MANAGEMENT (WC 41-22)

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RES. NO. **VOTE** **DESCRIPTION**

RESOLUTION NOS. 318-364 WERE DISTRIBUTED TO THE MEMBERS OF THE BOARD OF SUPERVISORS ON FRIDAY JULY 8, 2022; PROCLAMATION NO. 30 WAS DISTRIBUTED TO THE BOARD ON TUESDAY JULY 12, 2022 - BOTH DISTRIBUTIONS MET THE DEADLINE SPECIFIED IN THE RULES OF THE BOARD

RESOLUTION NOS. 365, 366 AND FLOOR RESOLUTION NOS. 1-6 WERE DISTRIBUTED TO THE BOARD OF SUPERVISORS ON JULY 13, 2022 (INCLUDES REQUIRED WAIVING OF THE RULES RESOLUTIONS)

RESOLUTION NOS. 367-370 WERE APPROVED AT THE JULY 15, 2022 PERSONNEL, ADMINISTRATION & HIGHER EDUCATION COMMITTEE MEETING AND WERE DISTRIBUTED TO THE BOARD AT THE JULY 15, 2022 BOARD MEETING (INCLUDES REQUIRED WAIVING OF THE RULES RESOLUTIONS)

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BOARD MEETING
FRIDAY JULY 15, 2022



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.”

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 10:15 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Merlino.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci, Hogan, Dickinson, Merlino, Strough, Wild, Magowan, Seeber, Beaty, Thomas, Runyon and Geraghty - 20. absent - 0. All Supervisors in attendance were physically present.

Motion was made by Supervisor Dickinson, seconded by Supervisor Geraci and carried unanimously to approve the minutes of the June 30th Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Jason Shpur, *Assistant Purchasing Agent*.

The following individuals were recognized for completing their Leadership Badge Training in Senior: John Lord, *Supervisor, Child Protective Services, Department of Social Services*; and Scott Rogers, *Director of Facilities*.

Pamela Vogel, *County Clerk*, addressed the Board in response to a comment made by Mike Swan, *County Treasurer*, regarding the quality of service provided by the Department of Motor Vehicles at the June 15th Board Meeting, outlining why she believed this was inaccurate.

Proceeding with the Agenda review, Chair declared the Public Hearing on the proposed adoption of a tentative operating budget for Adirondack Community College for the fiscal year 2022-23 open at 10:24 a.m. and requested the Clerk of the Board read aloud the Notice of Public Hearing. Chair called for public comment.

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The following individuals voiced their opinions on proposed adoption of a tentative operating budget for Adirondack Community College for the fiscal year 2022-23:

Supervisor Magowan voiced his concerns with the Budget that appeared to increase every year, noting while he was not opposed to education, he would be voting in opposition.

Chairman Geraghty apprised he would leave the Public Hearing open and proceeded with the Agenda review.

Chair declares public hearing open on Proposed Local Law No. 2 of 2022, Enacting Local Law No. 2 of 2022, Entitled “A Local Law Amending and Updating Local Law No. 6 of 2021, ‘A Local Law Amending and Updating Local Law No. 5 of 2021, a Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law’” at 10:27 a.m. and requested the Clerk of the Board read aloud the Notice of Public Hearing. Chair called for public comment.

The following individuals voiced their opinions on Proposed Local Law No. 2 of 2022:

Motion was made by Supervisor Strough and seconded by Supervisor Dickinson to amend proposed Resolution No. 353 of 2022 pertaining to Proposed Local Law No. 2 to decrease the number of members who were appointed officers or employees of Warren County from two members to one.

Supervisors Merlino, Conover, Wild and Magowan spoke in favor of the proposed amendment while Supervisors Seeber and Braymer voiced their opposition.

Supervisor Driscoll advised of the importance of filling out and submitting the financial disclosure forms in a timely manner.

Chairman Geraghty requested a roll call vote on the proposed amendment. He called the question and the motion to amend proposed Resolution No. 353 of 2022, *Enacting Local Law No. 2 of 2022, Entitled “A Local Law Amending and Updating Local Law No. 6 of 2021, ‘A Local Law Amending and Updating Local Law No. 5 of 2021, a Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law’* as outlined above was carried by majority vote, with 527 votes in favor (*Supervisors Merlino, Strough, Wild, Magowan, Conover, McDevitt, Frasier, Dickinson and Geraghty*) and 475 opposed (*Supervisors Seeber, Beaty, Thomas, Runyon, Leggett, Diamond, Braymer, Bruno, Driscoll, Geraci and Hogan*).

Supervisor Seeber questioned whether appointed officers or employees of Warren County would have to be removed from the Warren County Board of Ethics if proposed Resolution No. 353 was adopted as amended and Ryan Moore, *County Administrator*, replied the position that was vacant was a public position, adding there was one member and one alternate member who had indicated a willingness to continue to serve while another member and alternate member had declined. He noted because of this he did not believe anyone would have to be removed.

A lengthy discussion ensued on proposed Resolution No. 353 of 2022 during which Mr. Moore clarified the previous member of the Warren County Board of Ethics who indicated a desire to continue to serve was the County member and the alternate member who also advised of their interest was the municipal alternate which meant if the proposed amendment only pertained to County members than this would impact the municipal alternate member. Supervisor Braymer asked why the proposed amendment would not also impact the municipal member and Mr. Moore responded this individual had advised they no longer wanted to serve as a member. Further discussion ensued during which Supervisor Dickinson exited the meeting at 10:58 a.m.

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Motion was made by Supervisor Beaty and seconded by Supervisor Hogan to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, subject to section 105(1)(f) of the Public Officer's Law.

Supervisor Seeber called for Point of Order, inquiring whether it would be possible for the members of the public to speak before the Board entered into an executive session and Mr. Moore replied the executive session would be brief. Chairman Geraghty advised they would be moving forward with a roll call vote on the executive session. He called the question and the motion was carried by majority vote, with 724 votes in favor (*Supervisors Merlino, Magowan, Seeber, Beaty, Thomas, Runyon, Conover, Diamond, McDevitt, Braymer, Bruno, Driscoll, Frasier, Geraci, Hogan and Geraghty*) and 225 against (*Supervisors Strough, Wild and Leggett*), and 53 absent (*Supervisor Dickinson*).

Executive session was held from 11:02 a.m. until 11:10 a.m.

Supervisor Dickinson returned to the meeting during the executive session.

Upon reconvening, Chairman Geraghty closed the Public Hearings on the proposed adoption of a tentative operating budget for Adirondack Community College for the fiscal year 2022-23 and on Proposed Local Law No. 2 of 2022, Enacting Local Law No. 2 of 2022, Entitled "*A Local Law Amending and Updating Local Law No. 6 of 2021, 'A Local Law Amending and Updating Local Law No. 5 of 2021, a Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law'*" at 11:10 a.m.

Privilege of the floor and public comment was offered.

Billy Joe Ryan, *City of Glens Falls Resident, Warren County Republican Committee member*, voiced her disappointment with the Republican and Democratic Commissioner's of Elections appointments being handled by two separate resolutions, which was not how it had been managed in prior years. She also spoke in support of William VanNess and Beth McLaughlin being reappointed to these positions.

Tim Guay, *City of Glens Falls Resident*, commented regarding his displeasure with the appointments of the Republican and Democratic Commissioner of Elections positions being handled under two separate resolutions, adding he believed it was the responsibility of the Board to support these appointments, as requested by each political party, regardless of their feelings regarding either of those individuals.

Report by the Chair of the Board was given.

Reports by Committee Chairs were given.

Report by the County Administrator was given during which Mr. Moore outlined the succession plan for the County Administrator position that he would be vacating in a few weeks which included the requirement that the Chair of the Board serve as the interim County Administrator. He added in the event the Chair was unable to do so then the Board would have to appoint someone for no longer than a sixty day term, unless otherwise approved by the Board.

Chairman Geraghty advised the Report of County Attorney would be given at the end of the meeting to allow for an executive session to discuss pending litigation.

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

Letters/emails from:

Warren County Democratic Committee - Nominating Elizabeth McLaughlin as Democratic Commissioner of the Board of Elections. *Emailed to the Board 7/8/22*

Warren County Republican Committee - Nominating William VanNess as Republican Commissioner of the Board of Elections. *Emailed to the Board 7/8/22*

FitzGerald Morris Baker Firth - Notice of Public Hearing - SpringCity Development Group LLC - June 23, 2022 Hearing. *Emailed to the Board 6/22/22 and re-sent 7/8/22*

FitzGerald Morris Baker Firth - Notice of Public Hearing -EASM Holdings, LLC - June 23, 2022 Hearing. *Emailed to the Board 6/22/22 and re-sent 7/8/22*

FitzGerald Morris Baker Firth - Notice of Public Hearing - SpringCity Development Group LLC - July 14, 2022 Hearing. *Emailed to the Board 7/8/22*

Rebecca Smith-Lawler - Citing potential responsibility and liability to her property located in the Town of Warrensburg. *Emailed to the Board 6/22/22 and re-sent 7/8/22*

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

Amanda Allen, *Clerk of the Board*, advised Resolution Nos. 318-364 were distributed to the members of the Board of Supervisors on Friday July 8, 2022 and Proclamation No. 30 was distributed to the Board on Tuesday July 12, 2022; both distributions met the deadline specified in the Rules of the Board. The Proclamation was: PR30 - Parks and Recreation Month.

Mrs. Allen stated Resolution Nos. 365 and 366 were distributed to the Board on July 13, 2022; Floor Resolution Nos. 1-6 were distributed to the Board on July 14, 2022; and Resolution Nos. 367-370 were distributed to the Board this morning following the Personnel, Administration & Higher Education Committee meeting. She noted since this did not meet the distribution deadline specified in the Rules of the Board, several motions waiving the Rules would be required. The following motions were requested and made:

Motion was made by Supervisor Leggett, seconded by Supervisor Strough and carried unanimously to Waive the Rules of the Board in order to entertain Resolution No. 366 of 2022, *Adopting and Approving Adirondack Community College Operating Budget for Fiscal Year 2022 - 2023*. Mrs. Allen announced this would now be referred to as Resolution No. 365.

Motion was made by Supervisor Merlino, seconded by Supervisor Thomas and carried unanimously to Waive the Rules of the Board in order to entertain Resolution No. 368, *Authorizing Agreement with the Civil Service Employees Association, Inc. (CSEA), to Include a Negotiated Interim Wage Increase*. Mrs. Allen advised this would now be referred to as Resolution No. 367.

Motion was made by Supervisor Magowan, seconded by Supervisor Thomas and carried unanimously to Waive the Rules of the Board in order to entertain Resolution No. 370, *Approving the Recommendations of the Reallocation Committee*. Mrs. Allen indicated this would now be referred to as Resolution No. 369.

Motion was made by Supervisor Bruno, seconded by Supervisor Strough and carried unanimously to Waive the Rules of the Board in order to entertain proposed Floor Resolution No. 2, *Appointing the Democratic Commissioner of Elections*. Mrs. Allen apprised proposed Floor Resolution No. 1 would now be referred to as Resolution No. 371.

WARREN COUNTY BOARD OF SUPERVISORS
BOARD MEETING
FRIDAY JULY 15, 2022

Motion was made by Supervisor Braymer, seconded by Supervisor Driscoll and carried unanimously to bring proposed Floor Resolution No. 2, *Appointing the Democratic Commissioner of Elections*, to the floor. Mrs. Allen apprised proposed Floor Resolution No. 2 would now be referred to as Resolution No. 372.

Motion was made by Supervisor Frasier, seconded by Supervisor Runyon and carried unanimously to Waive the Rules of the Board in order to entertain proposed Floor Resolution No. 4, *Appointing the Republican Commissioner of Elections*. Mrs. Allen apprised proposed Floor Resolution No. 3 would now be referred to as Resolution No. 373.

Motion was made by Supervisor Thomas, seconded by Supervisor Runyon and carried unanimously to bring proposed Floor Resolution No. 4, *Appointing the Republican Commissioner of Elections*, to the floor. Mrs. Allen apprised proposed Floor Resolution No. 4 would now be referred to as Resolution No. 374.

Motion was made by Supervisor Wild, seconded by Supervisor Leggett and carried unanimously to Waive the Rules of the Board in order to entertain proposed Floor Resolution No. 6, *Accepting Proposal and Authorizing Agreement with Invasive Solutions Dive Company, LLC for Schroon Lake Aquatic Invasive Species Control Program - Plant Management (WC 41-22)*. Mrs. Allen apprised proposed Floor Resolution No. 5 would now be referred to as Resolution No. 375.

Motion was made by Supervisor Frasier, seconded by Supervisor Wild and carried unanimously to bring proposed Floor Resolution No. 6, *Accepting Proposal and Authorizing Agreement with Invasive Solutions Dive Company, LLC for Schroon Lake Aquatic Invasive Species Control Program - Plant Management (WC 41-22)*, to the floor. Mrs. Allen apprised proposed Floor Resolution No. 6 would now be referred to as Resolution No. 376.

Mrs. Allen noted there were several roll call votes and she inquired whether there was any objection to combining proposed Resolution Nos. 318, *Making Supplemental Appropriations*, and 319, *Amending Warren County Budget for 2022 for Various Departments Within Warren County*; proposed Resolution Nos. 320-325, all of which pertained to the distribution of ARPA (*American Rescue Plan Act*) funding; and proposed Resolution Nos. 355, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Airport Budget*; *Amending 2022 Warren County Budget*; and *Authorizing Payment to Forest Enterprises Management, Inc.*, 359, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the County Attorney's Budget to Cover the Cost of the County's Insurance Deductible in the Matter of Questor French V. Derek Williams*; *Amending 2022 Warren County Budget*, 361, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Public Works Budget to Cover the Increasing Cost of Fuel*; and *Amending 2022 Warren County Budget*, 362, *Authorizing the Appropriation of Funds from the Computer Reserve Fund to Various Departmental Budgets*; *Amending 2022 Warren County Budget*, and 363, *Authorizing the Appropriation of Funds from the Occupancy Tax Reserve to the Tourism and Planning & Community Development Budgets*; *Amending 2022 Warren County Budget*.

Motion was made by Supervisor Bruno and seconded by Supervisor Braymer to combine the roll call votes on the proposed Resolutions as outlined above. Supervisor Beaty requested the roll call vote on proposed Resolution No. 355, *Authorizing the Appropriation of Funds from the General Fund Unappropriated Surplus to the Airport Budget*; *Amending 2022 Warren County Budget*, be handled separately and Chairman Geraghty agreed.

Discussion and public comment on proposed resolutions was called for.

Supervisor Hogan requested a roll call vote on proposed Resolution No. 374, *Appointing the Republican*

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY JULY 15, 2022

Commissioner of Elections.

Supervisor Wild requested a roll call vote on proposed Resolution No. 372, *Appointing the Democratic Commissioner of Elections.*

Discussion ensued with regard to the history of the voting process for the Board of Elections Commissioner appointments and why they were separated into two resolutions this year.

With regard to proposed Resolution No. 322, *Authorizing the Appropriation of ARPA Funds to the Warren County Employment & Training Administration for Distribution Subject to Approval of a Plan for Workforce Development and Individual Worker Job Training in Warren County; and Amending Warren County Budget for 2022*, Supervisor Braymer inquired whether an amendment was required to remove the word summer from the body of the resolution; Chairman Geraghty responded this could be handled through a Clerk's correction after the meeting.

Further discussion ensued regarding the proposed resolution during which Supervisor Driscoll indicated he would like proposed Resolution No. 353, *Enacting Local Law No. 2 of 2022, Entitled "A Local Law Amending and Updating Local Law No. 6 of 2021, 'A Local Law Amending and Updating Local Law No. 5 of 2021, a Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law'"*, to be further amended to allow any of the current members of the Warren County Board of Ethics who would like to continue to serve to be able to do so through the end of this year. Discussion ensued during which Larry Elmen, *County Attorney*, advised if the Local Law was adopted in its amended form than the Board would be appointing five new members regardless of whether they had already served, as their previous appointments would not be carried over. Mr. Moore proposed an amendment to the resolution he believed would address some of the issues that had been raised to indicate one of the five members would be an appointed officer or employee of Warren County or a municipality located in Warren County, as this would allow the governmental member and alternate member to be from the County or a local municipality. He added this would allow everyone who had expressed an interest in continuing to serve to be able to do so.

Motion was made by Supervisor Driscoll, seconded by Supervisor Dickinson and carried unanimously to amend proposed Resolution No. 353, *Enacting Local Law No. 2 of 2022, Entitled "A Local Law Amending and Updating Local Law No. 6 of 2021, 'A Local Law Amending and Updating Local Law No. 5 of 2021, a Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law'"*, as outlined above.

Voting on resolutions occurred. Resolution Nos. 318-376 were approved as presented, with the exception of Resolution No. 353 which was amended from the floor.

Report by the County Attorney was given during which an executive session was requested to discuss the following litigation: *Szhabo v. the County of Warren and others; Kathleen Ennis v. the County of Warren and others; John David Smith v. the County and other defendants; Michael Easterbrooks v. the County of Warren and other defendants; Joshua Rouse v. the County of Warren and other defendants; and a Notice of Claim filed by Jasmine Earnest.*

Motion was made by Supervisor Magowan, seconded by Supervisor Strough and carried unanimously to enter into an executive session pursuant to Section 105(1)(d) of the Public Officer's Law.

Executive session was held from 12:33 p.m. until 1:38 p.m.; Supervisors Leggett, Diamond, Braymer, Dickinson, Merlino and Wild exited the meeting during the executive session.

There being no further business to come before the Board of Supervisors, on motion made by

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY JULY 15, 2022

Supervisor Bruno, seconded by Supervisor Geraci and carried by a unanimous vote of those present (*Supervisors Leggett, Diamond, Braymer, Dickinson, Merlino and Wild*), Chairman Geraghty adjourned the Board Meeting at 1:38 p.m.

Warren County Board of Supervisors

Proclamation

WHEREAS, parks and recreation opportunities are an integral part of communities throughout Warren County, New York State, and the United States, and

WHEREAS, Warren County has invested in wonderful resources that include Warren County Bikeway, Warren County Fish Hatchery, Swede Mountain Firetower and trail, numerous boat launches, hiking trail networks and other green space for the benefit of our residents and visitors, and

WHEREAS, Warren County towns, the Village of Lake George, City of Glens Falls, and New York State all offer numerous parks and recreation facilities for public use as well, and

WHEREAS, parks and recreation opportunities promote health and wellness, improving the physical and mental health of those who use our parks and public spaces, and

WHEREAS, parks and recreation promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's Disease, and

WHEREAS, parks and recreational resources encourage physical activities by providing space for popular sports, hiking trails, swimming areas, boat launches and many other activities designed to promote active lifestyles, and

WHEREAS, parks and recreation increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction, and

WHEREAS, parks and recreation resources are fundamental to the environmental well-being of our community, and ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors, and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month, and

WHEREAS, the Warren County Board of Supervisors recognizes the benefits derived from our parks and recreation resources, and urges our residents to take advantage of them, now, therefore, be it

RESOLVED, that I, Kevin B. Geraghty, Chairman of the Warren County Board of Supervisors, upon a majority vote of the Board of Supervisors, do hereby proclaim the month of July to be

PARKS AND RECREATION MONTH

in Warren County, to celebrate and enjoy the wonderful parks and public lands we have here in our county.

DATED: JULY 15, 2022


KEVIN B. GERAGHTY, CHAIRMAN
WARREN COUNTY BOARD OF SUPERVISORS

Warren County Board of Supervisors

RESOLUTION NO. 318 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

MAKING SUPPLEMENTAL APPROPRIATIONS

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2022 as set forth herein, now, therefore, be it

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

FROM CODE		TO CODE		AMOUNT
DEPARTMENT: HEALTH SERVICES				
A.4010 110	Health Services, Salaries- Regular	A.4010 444.01	Health Services, Job Related Courses	\$10,000.00
DEPARTMENT: INFORMATION TECHNOLOGY.				
A.1680 110	Information Technology, Salaries-Regular	A.1680 470	Information Technology, Contract	12,000.00
DEPARTMENT: PLANNING AND COMMUNITY DEVELOPMENT				
A.8021 110	Planning (and Comm. Dev.), Salaries-Regular	A.8021 470	Planning (and Comm. Dev.), Contract	1,125.00
SPECIAL ITEM:				
A.1990 469	Contingent Account, Other Payments/Contributions	A.1010 440	Legislative Board, Legal/Transcript Fees	11,975.00

Warren County Board of Supervisors

RESOLUTION NO. 319 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AMENDING WARREN COUNTY BUDGET FOR 2022 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2022 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 THE COUNTY ADMINISTRATOR		
<u>ESTIMATED REVENUE</u>		
A.1040 4999 4090	Clerk-Legislative Board, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$1,710.54
A.1165 4999 4090	District Attorney, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	5,109.51
A.1320 4999 4090	County Auditor, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	1,669.86
A.1325 4999 4090	County Treasurer, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	5,009.58
A.1345 4999 4090	Purchasing, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	2,504.79
A.1355 4999 4090	Real Property Tax Service Agency, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	6,019.72
A.1420 4999 4090	Law (County Attorney), American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	3,309.84
A.1430 4999 4090	Civil Service. American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	729.93
A.1435 4999 4090	Human Resources, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	2,189.79
A.1680 4999 4090	Information Technology, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	108,572.98
A.3110 4999 4090	Sheriff's Law Enforcement, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	43,214.00

RESOLUTION No. 319 OF 2022

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF THE COUNTY ADMINISTRATOR, CONTINUED		
<u>ESTIMATED REVENUE</u>		
A.3140 4999 4090	Probation, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$13,868.67
A.3620 4999 4090	Building & Fire Code, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	4,174.65
A.3640 4999 4090	Civil Defense, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	5,729.55
A.4010 4999 4090	Health Services, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	7,299.30
A.4018 4999 4090	Preventive Program, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	6,569.37
A.4018 0020.4999 4090	Family Health, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	729.93
A.4018 0030.4999 4090	Disease Control, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	2,189.79
A.4018 0040.4999 4090	Health Education, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	2,189.79
A.4054 4999 4090	Ed/Physically Hand. Children, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	1,459.86
A.4054 0060.4999 4090	Ed. Phys. Hndcpdd/Early Intervnt, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	2,189.79
A.6010 4999 4090	Social Services, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	11,739.30
A.6510 4999 4090	Veterans' Services, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	2,384.74
A.6610 4999 4090	Weights & Measures, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	729.93
A.8020 4999 4090	Planning, American Rescue Plan (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	8,704.79
<u>APPROPRIATIONS</u>		
A.1040 4999 220	Clerk-Legislative Board, American Rescue Plan Act (ARPA), Office Equipment	1,710.54
A.1165 4999 220	District Attorney, American Rescue Plan Act (ARPA), Office Equipment	5,109.51

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF THE COUNTY ADMINISTRATOR, CONTINUED		
<u>APPROPRIATIONS</u>		
A.1320 4999 220	County Auditor, American Rescue Plan Act (ARPA), Office Equipment	\$1,669.86
A.1325 4999 220	County Treasurer, American Rescue Plan Act (ARPA), Office Equipment	5,009.58
A.1345 4999 220	Purchasing, American Rescue Plan Act (ARPA), Office Equipment	2,504.79
A.1355 4999 220	Real Property Tax Service Agency, American Rescue Plan Act (ARPA), Office Equipment	6,019.72
A.1420 4999 220	Law (County Attorney), American Rescue Plan Act (ARPA), Office Equipment	3,309.84
A.1430 4999 220	Civil Service, American Rescue Plan Act (ARPA), Office Equipment	729.93
A.1435 4999 220	Human Resources, American Rescue Plan Act (ARPA), Office Equipment	2,189.79
A.1680 4999 130	Information Technology, American Rescue Plan Act (ARPA), Salaries - Part Time	17,279.00
A.1680 4999 810	American Rescue Plan Act (ARPA), Retirement	1,400.00
A.1680 4999 830	Social Security	1,071.00
A.1680 4999 831	Medicare Contribution	250.00
A.1680 4999 220	Office Equipment	30,349.30
A.1680 4999 439	Misc. Fees & Expenses	58,223.68
A.3110 4999 220	Sheriff's Law Enforcement, American Rescue Plan Act (ARPA), Office Equipment	21,950.00
A.3110 4999 470	Sheriff's Law Enforcement, American Rescue Plan Act (ARPA), Contract	21,264.00
A.3140 4999 220	Probation, American Rescue Plan Act (ARPA), Office Equipment	13,868.67
A.3620 4999 220	Building & Fire Code, American Rescue Plan Act (ARPA), Office Equipment	4,174.65
A.3640 4999 220	Civil Defense, American Rescue Plan Act (ARPA), Office Equipment	5,729.55
A.4010 4999 220	Health Services, American Rescue Plan Act (ARPA), Office Equipment	7,299.30
A.4018 4999 220	Preventive Program, American Rescue Plan Act (ARPA), Office Equipment	6,569.37

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<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT OF THE COUNTY ADMINISTRATOR, CONTINUED		
<u>APPROPRIATIONS</u>		
A.4018.0020 4999 220	Preventive Program, Family Health, American Rescue Plan Act (ARPA), Office Equipment	\$729.93
A.4018.0030 4999 220	Disease Control, American Rescue Plan Act (ARPA), Office Equipment	2,189.79
A.4018.0040 4999 220	Health Education, American Rescue Plan Act (ARPA), Office Equipment	2,189.79
A.4054 4999 220	Ed/Physically Handicapped Children, American Rescue Plan Act (ARPA), Office Equipment	1,459.86
A.4054.0060.4999 220	Ed. Phys. Hndcppd/Early Intervention, American Rescue Plan Act (ARPA), Office Equipment	2,189.79
A.6010 4999 220	Social Services, American Rescue Plan Act (ARPA), Office Equipment	11,739.30
A.6510 4999 220	Veterans' Services, American Rescue Plan Act (ARPA), Office Equipment	2,189.79
A.6510.4999 428	Data Processing & Internet Fees	194.95
A.6610 4999 220	Weights & Measures, American Rescue Plan Act (ARPA), Office Equipment	729.93
A.8020 4999 220	Planning, American Rescue Plan Act (ARPA), Office Equipment	8,704.79

DEPARTMENT OF PUBLIC WORKS

ESTIMATED REVENUE

A.7110 2705	Parks & Recreation, Gifts & Donations	450.00
D.3310 2680	County Road, Traffic Control, Insurance Recoveries	1,380.60
DM.5130 5031	Road Machinery, Machinery, Interfund Transfers	200,000.00
H401.9550 5710	Sagamore Road Retaining Wall, Capital Projects, Serial Bonds	700,000.00

APPROPRIATIONS

A.7110 410	Parks & Recreation, Supplies	450.00
D.3310 410	County Road, Traffic Control, Supplies	1,380.60
DM.5130 442	Road Machinery, Machinery, Automotive Gas & Oil	200,000.00
H401.9550 280	Sagamore Road Retaining Wall, Capital Projects, Projects	700,000.00

RESOLUTION NO. 319 OF 2022

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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 2022 for the estimated revenues, appropriations and codes indicated, and be it further

RESOLVED, that the Warren County budget for 2022 is hereby amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 320 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEGER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, MOORE, SWAN, GADDY AND VACANT

AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION FOR DISTRIBUTION TO WORKERS SEEKING ASSISTANCE FOR PUBLIC TRANSPORTATION IN WARREN COUNTY; AND AMENDING WARREN COUNTY BUDGET FOR 2022

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries; and

WHEREAS, the ARPA Committee determined that the use of ARPA funds to provide assistance to individuals who want to work and are available to work to cover transportation costs of moving workers in Warren County to work by way of public transportation, and has agreed to allocate funds in an amount up to Eight Thousand Dollars (\$8,000) for same, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA

RESOLUTION No. 320 OF 2022

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funds to County of Warren (Employment & Training Administration) up to an amount of Eight Thousand Dollars (\$8,000) to assist individuals who want to and are available to work obtain public transportation in Warren County, as provided by Part 35, Subpart A, section 35.6(b)(1)(3)(ii)(A) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: EMPLOYMENT & TRAINING ADMINISTRATION		
<u>ESTIMATED REVENUE</u>		
40.6293.4999 4090	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$8,000.00
<u>APPROPRIATIONS</u>		
40.6293.4999 434	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Allowances	\$8,000.00

Warren County Board of Supervisors

RESOLUTION NO. 321 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEBER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, MOORE, SWAN, GADDY AND VACANT

**AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION TO PROVIDE FREE OR REDUCED COST JOB SKILL TRAINING TO WARREN COUNTY RESIDENTS;
AND AMENDING WARREN COUNTY BUDGET FOR 2022**

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries; and

WHEREAS, the ARPA Committee determined that the use of ARPA funds to provide assistance to residents of Warren County to obtain free or reduced cost job skill training that will lead to a sustainable job, and has agreed to allocate funds in an amount up to Eighty-Five Thousand Dollars (\$85,000) for same, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA

RESOLUTION No. 321 OF 2022

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funds to County of Warren (Employment & Training Administration) up to an amount of Eighty-Five Thousand Dollars (\$85,000) to provide free or reduced cost job skill training to Warren County residents that will lead to a sustainable job, as provided by Part 35, Subpart A, section 35.6(b)(1)(3)(ii)(A) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: EMPLOYMENT & TRAINING ADMINISTRATION		
<u>ESTIMATED REVENUE</u>		
40.6293.4999 4090	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$85,000.00
<u>APPROPRIATIONS</u>		
40.6293.4999 433	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Training-Client	\$85,000.00

Warren County Board of Supervisors

RESOLUTION NO. 322 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEBER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, MOORE, SWAN, GADDY AND VACANT

**AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION FOR DISTRIBUTION SUBJECT TO APPROVAL OF A PLAN FOR WORKFORCE DEVELOPMENT AND INDIVIDUAL WORKER JOB TRAINING IN WARREN COUNTY;
AND AMENDING WARREN COUNTY BUDGET FOR 2022**

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries; and

WHEREAS, the ARPA Committee determined that the use of ARPA funds to provide assistance to individuals who want to work and are available to work shall be set aside for use by the County of Warren Employment & Training Administration, subject to the approval of a future plan for workforce development and individual worker job training in Warren County, and has agreed to allocate funds in an amount up to

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One Hundred Twenty Thousand Dollars (\$120,000) for same, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA funds to County of Warren (Employment & Training Administration) up to an amount of One Hundred Twenty Thousand Dollars (\$120,000) to provide assistance to individuals who want to work and are available to work be set aside for use by the County of Warren Employment & Training Administration, subject to the approval of a future plan for workforce development and individual worker job training in Warren County, as provided by Part 35, Subpart A, section 35.6(b)(1)(3)(ii)(A) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: EMPLOYMENT & TRAINING ADMINISTRATION		
<u>ESTIMATED REVENUE</u>		
40.6293.4999 4090	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$120,000.00
<u>APPROPRIATIONS</u>		
40.6293.4999 130	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Salaries - Part Time	\$50,000.00
40.6293.4999 439	Misc Fees & Expenses	52,875.00
40.6293.4999 810	Retirement	8,000.00
40.6293.4999 830	Social Security	3,000.00
40.6293.4999 831	Medicare Contribution	1,500.00
40.6293.4999 860	Hospitalization	4,625.00

Warren County Board of Supervisors

RESOLUTION NO. 323 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEGER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, MOORE, SWAN, GADDY AND VACANT

AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY EMPLOYMENT & TRAINING ADMINISTRATION FOR A NEW POSITION TO BE CREATED FOR THE PURPOSE OF SUPPORTING PUBLIC SECTOR CAPACITY AND WORKFORCE, AS WELL AS TO ASSIST HIGH SCHOOL AGED STUDENTS AND GRADUATES NEGATIVELY IMPACTED BY THE PANDEMIC; AND AMENDING WARREN COUNTY BUDGET FOR 2022

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, "Final Rule") implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter "ARPA"), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, "Treasury Agreement") that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries; and

WHEREAS, the ARPA Committee determined that the use of ARPA funds to support public sector capacity and workforce, as well as to assist high school aged students and graduates negatively impacted by the pandemic who want to work and are available to work, by creating a new job position for so long as ARPA Funds are available, that will work with various labor unions and skilled trades, to aid Warren County

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school districts with intentional programming to provide students career opportunities in the various skilled trades which are deemed essential to the future economy of Warren County, and has agreed to allocate funds in an amount up to Two Hundred Fifty Thousand Dollars (\$250,000) for same, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA funds to County of Warren (Employment & Training Administration) up to an amount of Two Hundred Fifty Thousand Dollars (\$250,000), support public sector capacity and workforce, as well as to assist high school aged students and graduates negatively impacted by the pandemic who want to work and are available to work, by creating a new job position for so long as ARPA Funds are available, that will work with various labor unions and skilled trades, to aid Warren County school districts with intentional programming to provide students career opportunities in the various skilled trades which are deemed essential to the future economy of Warren County, as provided by Part 35, Subpart A, section 35.6(b)(1)(3)(ii)(A) & (E)(1) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2022 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: EMPLOYMENT & TRAINING ADMINISTRATION		
<u>ESTIMATED REVENUE</u>		
40.6293.4999 4090	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$62,500.00
<u>APPROPRIATIONS</u>		
40.6293.4999 110	Workforce Invest. Act, WIA/WIOA, American Rescue Plan Act (ARPA), Salaries - Regular	\$50,000.00
40.6293.4999 810	Retirement	4,050.00
40.6293.4999 830	Social Security	3,100.00
40.6293.4999 831	Medicare Contribution	725.00
40.6293.4999 860	Hospitalization	4,625.00

Warren County Board of Supervisors

RESOLUTION NO. 324 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEBER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, MOORE, SWAN, GADDY AND VACANT

AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT FOR STUDIES ON THE WARREN COUNTY BIKEWAY CONCERNING CONNECTION FEASIBILITY AND SAFETY IMPROVEMENTS; AND AMENDING WARREN COUNTY BUDGET FOR 2022

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries; and

WHEREAS, the ARPA Committee determined that the use of ARPA funds to promote improved health outcomes and public safety in County parks and recreation facilities would be improved by contracting for a study of the Warren County bikeway concerning the feasibility of connecting the bikeway to other recreational assets in Warren County and safety improvements for the bikeway, and has agreed to allocate funds in an amount not to exceed the amount of One Hundred Thousand Dollars (\$100,000) for

RESOLUTION NO. 324 OF 2022

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same, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA funds to County of Warren (Planning Department) in an amount not to exceed One Hundred Thousand Dollars (\$100,000) to provide a Warren County bikeway connection feasibility study and Warren County bikeway safety improvements, as provided by Part 35, Subpart A, section 35.6(b)(1)(3)(ii)(A)(11) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2022 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: PLANNING & COMMUNITY DEVELOPMENT		
<u>ESTIMATED REVENUE</u>		
A.8021.4999 4090	Planning (and Comm.Dev.), American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$20,000.00
<u>APPROPRIATIONS</u>		
A.8021.4999 470	Planning (and Comm.Dev.), American Rescue Plan Act (ARPA), Contract	\$20,000.00

Warren County Board of Supervisors

RESOLUTION NO. 325 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEBER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, MOORE, SWAN, GADDY AND VACANT

**AUTHORIZING ARPA FUNDS DISBURSEMENT TO
THE GREATER GLENS FALLS TRANSIT;
AND AMENDING WARREN COUNTY BUDGET FOR 2022**

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act, and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries, and

RESOLUTION No. 325 OF 2022

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WHEREAS, the ARPA Committee determined that the use of ARPA funds is required to respond to the negative economic impacts of the public health emergency and the enumerated eligible use of assistance for individuals who want and are available to work, including those who are unemployed, have looked for work sometime in the past twelve (12) months, who are employed part time but who want and are available for full-time work, or who are employed but seeking a position with greater opportunities for economic advancement and that assisting individuals with public transportation costs who want to work and are available to work is an appropriate use of ARPA Funds, and

WHEREAS, section 603(c)(3) of the Social Security Act authorizes the County to transfer ARPA funds to assist individuals, the ARPA Committee has considered and approved a request to distribute APRA Funds in an amount not to exceed Twenty Thousand Dollars (\$20,000), beginning on the effective date of this Resolution and ending December 31, 2024, to the Greater Glens Falls Transit, a city department of the City of Glens Falls which provides transportation services throughout the Greater Glens Falls area, for use as a grant to provide J-1 Visa students/workers free access to the Greater Glens Falls Transit public transportation while living and working in the County, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA Funds in an amount not to exceed Twenty Thousand Dollars (\$20,000), beginning on the effective date of this Resolution and ending December 31, 2024, to Greater Glens Falls Transit, a city department for the City of Glens Falls, as a grant to provide all J-1 Visa students/workers free access to the Greater Glens Falls Transit public transportation while in the County as an eligible use, and

RESOLVED, that as a condition of the ARPA funding, Greater Glens Falls Transit shall comply with all reporting requirements set forth in the ARPA Funding Agreement (hereafter, "ARPA Agreement"), in a form approved by the County Attorney for this award, and shall comply with any modifications to the reporting requirements enacted by the Federal Government to include the Department of Treasury, as a

RESOLUTION No. 325 OF 2022

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condition of funding, after the effective date for the ARPA Agreement, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: LEGISLATIVE BOARD		
<u>ESTIMATED REVENUE</u>		
A.1010.4999 4090	Legislative Board, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Funds (CLFRF)	\$20,000.00
<u>APPROPRIATIONS</u>		
A.1010.4999 470	Legislative Board, American Rescue Plan Act (ARPA), Contract	\$20,000.00

Warren County Board of Supervisors

RESOLUTION NO. 326 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, MCDEVITT AND DIAMOND

**AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH
ALBANY, SARATOGA AND SCHENECTADY COUNTIES FOR
ASSIGNED COUNSEL PROGRAM COLLABORATION IN IMPROVING INDIGENT
DEFENSE SERVICES IN THE CAPITAL REGION**

WHEREAS, the Assigned Counsel Administrator has requested that Warren County enter into a memorandum of understanding with Albany, Saratoga and Schenectady Counties for Assigned Counsel Program collaboration in improving indigent defense services in the Capital Region, with all costs to be covered by New York State Office of Indigent Legal Services grant funding, for a term commencing April 1, 2022 and terminating April 1, 2024, and

WHEREAS, the Assigned Counsel Administrator has indicated that the aforementioned memorandum of understanding would allow the Assigned Counsel Program to partner with the Albany, Saratoga and Schenectady County Assigned Counsel Programs in providing training and developmental resource programs to Assigned Counsel Program attorneys, and

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

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a memorandum of understanding with Albany, Saratoga and Schenectady Counties for Assigned Counsel Program collaboration in improving indigent defense services in the Capital Region, with all costs to be covered by New York State Office of Indigent Legal Services grant funding, for a term commencing April 1, 2022 and terminating April 1, 2024, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this memorandum of understanding shall be expended from Budget Code A.1170 437 Legal Defense-Indigents, Consulting Fees, and A.1170 444, Legal Defense-Indigents, Travel/Education/Conference.

Warren County Board of Supervisors

RESOLUTION NO. 327 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, McDEVITT AND DIAMOND

AMENDING RESOLUTION NO. 176 OF 2022, APPOINTING MEMBERS OF WARREN COUNTY EMS ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES, TO ADJUST MEMBERSHIP

WHEREAS, pursuant to Resolution No. 176 of 2022 the Warren County Board of Supervisors named the appointments to the Warren County EMS Advisory Board for the 2022 calendar year, and

WHEREAS, the Director of the Warren County Office of Emergency Services has recommended that the following adjustments to the membership of the Warren County EMS Advisory Board for the year 2022:

NAME	EMS DEPARTMENT
Shane Irwin <i>(to replace Ashley Rivers)</i>	Bay Ridge EMS Department
Doug Wildermuth <i>(remove)</i>	North Queensbury EMS Department

now, therefore, be it

RESOLVED, that Resolution No. 176 of 2022 is hereby amended to indicate that the above named individuals be, and hereby are, appointed and/or removed as members of the Warren County EMS Advisory Board, to serve at the pleasure of the appointing authority for the year 2022, and be it further

RESOLVED, that other than the changes noted herein, all other portions of Resolution No. 176 of 2022 shall remain in full force and effect.

Warren County Board of Supervisors

RESOLUTION NO. 328 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, McDEVITT AND DIAMOND

ADOPTING THE WARREN COUNTY EXCESSIVE HEAT PLAN

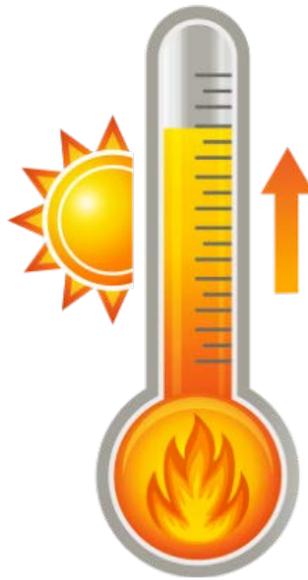
WHEREAS, the Warren County Office of Emergency Services prepared a Excessive Heat Plan to assist Warren County agencies with managing and responding to an excessive heat event, and

WHEREAS, the Director of the Office of Emergency Services has presented the Warren County Excessive Heat Plan included with this resolution as Schedule “A” and the Criminal Justice & Public Safety Committee has approved and recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the proposed Warren County Excessive Heat Plan, annexed hereto as “Schedule A,” be, and the same hereby is, adopted as the official policy for Warren County.

Warren County

Excessive Heat Plan



THIS DISASTER MANUAL REPRESENTS GENERAL GUIDELINES, WHICH CAN BE MODIFIED BY EMERGENCY PERSONNEL AS APPROPRIATE. THIS PLAN DOES NOT CREATE ANY RIGHT OR DUTY THAT IS ENFORCEABLE IN A COURT OF LAW.

Revisions Page

Date	Update	Name
3/23/22	Created Extreme Heat Plan	A. Rivers

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Overview

Purpose

The purpose of this Annex is to guide County agencies and Operational Area jurisdictions during an Excessive Heat Event. This Annex identifies resources, actions and critical issues regarding a weather event, including monitoring, public information, and congregate care and/or shelter. This Annex should be used in conjunction with the Warren County Comprehensive Emergency Management Plan (CEMP) and follow the Emergency Operations Center (EOC) guidelines whenever needed.

This Annex is intended to provide a written plan to assist Warren County agencies with managing information and responding to an Excessive Heat Event. As with all emergency plans, these guidelines will provide relevant agencies and decision makers with flexible tools, options and considerations as the situation dictates and evolves.

This Annex recognizes that in the event of such an emergency, this plan would draw upon the collaborative efforts and relationships of various agencies in order to provide appropriate resources, manpower and response to such an event.

The end goal is to ensure a coordinated response occurs during an Excessive Heat Event, with public information being a primary focus. The Warren County Office of Emergency Services will support Operational Areas of jurisdiction through interagency support, as needed.

Scope

This Annex should be used in conjunction with the Warren County CEMP and utilizes common goals, strategies, and terminology. It applies to extreme heat related emergencies that may cause severe illness requiring a response effort over a defined period of time within Warren County. The scope of this document identifies local county departments and agency actions as well as resources that may be available in the event of a heat emergency.

Situation Overview

Excessive heat temperatures can pose a risk to those of the populace that are unable to take adequate measures to protect themselves. Excessive heat temperatures can cause an increase in illness and injury up to and including death. Vulnerable populations are primarily at risk for adverse effects from excessive heat.

The U.S. National Hazard Statistics provides information on fatalities, injuries and damages caused by weather-related hazards. These statistics are compiled using data from all 50 U.S. States as well as Puerto Rico, Guam and the Virgin Islands. The following graph below compares fatalities caused by different types of weather events:

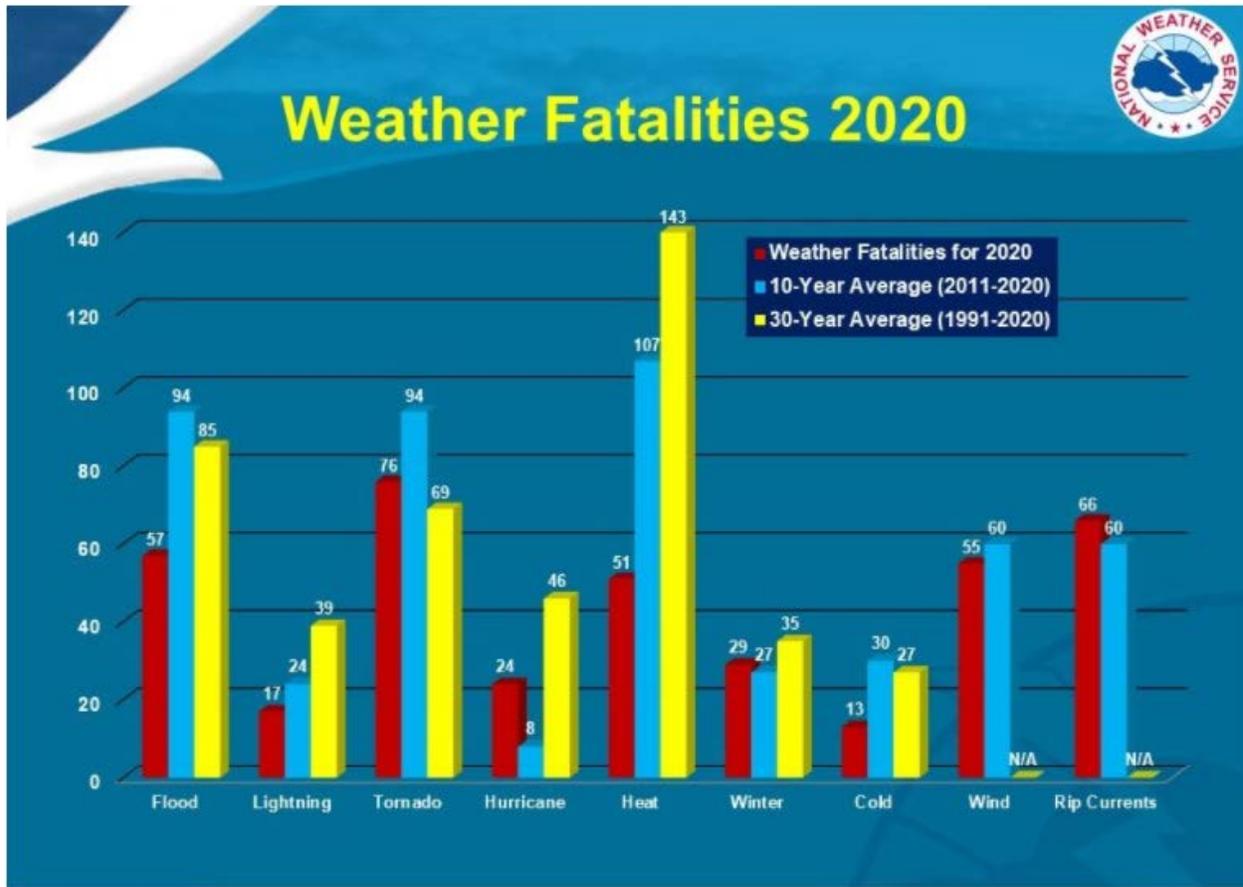


Figure 1: Weather Fatalities 2020 (National Weather Service 2020)

Heat Index Readings and Heat Related Medical Conditions

The Heat Index is a measure that combines temperature and humidity to approximate how hot it “feels” outside. As relative humidity increases, the air seems warmer than it actually is due to the body’s decreased ability to cool itself via evaporation of perspiration.

As the Heat Index increases, so do health risks. It is important to know and recognize the early signs of heat-related illnesses and know what to do if they occur. During normal temperature levels that your body is used to, it is able to regulate its internal temperature through such methods as perspiration. When the outside temperatures exceed a certain threshold, the body is unable to evaporate the perspiration at a rate needed to stay cooled. If the body is unable to cool itself, serious illness can result.

Heat Sensitive and Vulnerable Populations

Heat commonly affects certain groups, typically identified as heat sensitive or heat vulnerable, or lower threshold than other populations. Some of these group include:

- The elderly and the very young;

- Those on certain medications and/or with preexisting conditions which make them sensitive to heat;
- Those working outdoors – especially new workers, temporary workers, or those returning to work after a week or more off;
- Those exercising or doing strenuous activities outdoors during the heat of the day;
- Those without a reliable source of cooling and/or hydration;
- Those not acclimated to the level of heat expected – especially those who are new to a much warmer climate;
- Some economic sectors are also affected by increasing levels of heat, such as energy and transportation

Any individual, regardless of age or health status, can develop heat stress if engaged in intense physical activity and/or exposed to environmental heat (and humidity). If heat exposure exceeds the body's capacity to cool a range of heat-related symptoms and conditions can develop. These symptoms can be minor in nature such as heat cramps or develop into severe life-threatening illnesses like a heat stroke. Adequate hydration is important in order to avoid the development of heat-related illnesses.

Activation Threshold

The thresholds for activation of a response, by phase, are as follows:

Phase 1 – Readiness: The threshold for implementation of Phase 1 will be when the National Weather Service (NWS) announces that a Heat Wave is predicted for the County.

Phase 2 – Heat Alert: The threshold for implementation of Phase 2 will be when the NWS issues a Heat Advisory/Warning for the County.

Phase 3 – Heat Emergency: The threshold for implementation of Phase 2 will be when the NWS issues an Excessive Heat Warning for the County, which is expected to last 3 or more days.

Concept of Operations

The primary concept of operations for an Extreme Heat Event will focus on providing public information using multiple means of notification including press releases, websites, social media and other mechanisms as necessary. Dependent on the progression, duration and impact of the Excessive Heat Event, cooling center locations may be made available to community members.

Response to an Excessive Heat Event will utilize a three-phased approach based on weather information from the National Weather Service. These phases are intended to provide adequate time for dissemination of information and implementation of appropriate actions. These trigger points should be reviewed and/or revised before the heat season, based on changes from historical data compiled by the NWS, and any recommendations made by them.

Extreme Heat Events

Phases of Activation

The National Weather Service defines Excessive Heat as a combination of high temperatures (significantly above normal) combined with high humidity. At certain levels the human body is unable to properly maintain internal temperatures and may experience a medical emergency related to heat stress or stroke. The Heat index is a measure of the effect of the combined elements on the body. When temperature increases significantly for two or more consecutive days without an adequate drop in nighttime temperature to cool the outdoor and indoor environments, there is a significant increase in the risk to community members without cooling capabilities, identified health problems or fragility due to age. Therefore, the definition of excessive heat for a particular climate zone should consider both daytime maximum temperatures and nighttime maximum low temperatures.

National Weather Service Alerts

The National Weather Service (NWS) in Albany provides weather forecasts for Warren County, NY. When needed, the NWS issues special weather statements to alert the public when unusually hot weather is expected to occur. The NWS issues Excessive Heat Watches, Excessive Heat Warnings, Heat Advisory, and Excessive Heat Outlooks to warn of an extreme heat event that may occur.

Phases

Phase 1: Seasonal Readiness

In this phase, actions are taken prior to hotter months to prepare for and maintain a state of readiness. During this phase, threshold temperatures are not expected to be reached.

Response:

- Initial notification of key stakeholders
- Review of existing plans, procedures and resources
- Verification of use/availability of key facilities
- Updating/validating notification processes
- Initiating awareness campaigns, disseminating information to the public

Phase II: Heat Alert

Trigger (one or more of the following):

NWS issues an Excessive Heat Warning or Advisory indicating the following criteria:

- Increased reports of heat related illnesses, medical emergencies or mortality reported by local healthcare providers or other credible sources

Response:

- Prepare for the activation of cooling center
- Continued monitoring of weather
- Issue press release(s)
- Provide information to the public

- Consider activating call centers and/or public information lines through various county departments. If not activated, set up for rapid activation
- Increased monitoring of persons with disabilities and other with access and functional needs
- Increased surveillance of heat related illnesses/injuries
- Coordinate and pre-identify potential transportation issues
- Monitor electrical demands
- Look ahead to phase three activities

Phase III: Extreme Heat Event

In the case of an extreme heat event, the following are suggested trigger and response protocols:

Trigger (one or more of the following):

- A heat index of over 105°F (air temperature & humidity combined);
- High day time air temperature of over 105°F or
- Night time temperatures of 80°F or more
- NWS Heat Warning/Advisory is issued for 3 or more consecutive days
- Electrical emergency or rotating outages during an excessive heat event occur
- Increased reports of heat related illnesses, medical emergencies or mortality reported by local health care providers or other credible sources
- Heat emergency declaration is deemed necessary by local government official.

Response

- Activation of cooling centers
- Continue to monitor the weather
- Issue press release(s)
- Provide information to the public
- Maintain and support the call center/or public information hotlines
- Increased monitoring of persons with disabilities and others with access and functional needs
- As necessary, activate cooling center(s)
- Coordinate any transportation requests to cooling centers
- Monitor electrical demands

Agency and Organization Roles and Responsibilities

Monitoring

The County Emergency Manager or designee is responsible for monitoring weather information from the NWS and Excessive Heat Event conditions. Specifically, the NWS Excessive Heat Watch, Warning, and Advisories will serve as one of the trigger points for decision-making.

Public Information

Information sharing and dissemination of public information is crucial during an Excessive Heat Event. The Director of Public Affairs will be the lead for press releases and related health bulletins. However, multiple departments and organizations may have a role in the risk communication process.

Risk Communication priorities may include (but are not limited to):

- Assist in informing and educating the public regarding health precautions and other health related materials.
- If warranted, provide continual updates (via press releases, news conferences, etc.) on the incident to the media.
- Provide directions and instructions regarding cooling center activation, locations and operational hours.

Alert and Warning

Every extreme heat related advisory, watch or warning should be communicated to the public as soon as possible. The Emergency Manager will be tasked with community outreach before, during and after an extreme heat event. Below are examples of several methods that could be utilized for alert and warning to ensure the widest possible dissemination of emergency communications to the public:

Emergency Mass Notification System

May be used in extreme cases as needed.

Local Media

Local media can be utilized to disperse press releases and other pertinent information to the general public.

County and/or Town, Village, City Webpages

May be used as needed and up to the area having jurisdiction preference.

People with Disabilities and Others with Access and Functional Needs

Language barriers must always be considered when warning messages are developed for the public. Warren County is a tourism area leading to groups of varied languages and ethnic origins being a factor that needs to be considered when putting out alerts.

Cooling Centers

A cooling center is a location where people can officially go to get out of the heat. It is a temporary, air-conditioned public space set up to deal with the health effects of a heat wave. A cooling center can be established at various facilities including senior and community centers, libraries, and public buildings.

Pre-established points of contact should be made with each facility. Identification of services provided at the cooling centers should be taken into consideration including: accommodations for people with disabilities and others with access or functional needs, service animals, domestic pets, and operating hours. Appendix A has additional information to assist with establishing cooling centers.

When a cooling center is activated, the responsible jurisdiction and Warren County Office of Emergency Services shall be notified. Warren County OES shall disseminate cooling center information to Public Health.

Additionally, it is common practice that a list of pre-identified cooling centers not be published to any website prior to an Excessive Heat Event. While the Appendix calls for pre-identifying cooling centers, the location of these cooling centers without confirming operation for each Excessive Heat Event can cause confusion.

Appendix A: Cooling Center Criteria

The following is criteria that will be used to establish if a facility is eligible to be considered a cooling center in Warren County. If critical criteria are met, they will be added to a cooling centers list and be contacted upon the need or request for activation.

Center Information						
Name of Center:						
Center Address:						
Hours of Operation:						
M:	T:	W:	Th:	F:	Sa:	Su:
Contact Person's Name:						
Contact Person's Title:						
Contact Person's Number:						

Critical Criteria	
<input type="checkbox"/>	Air Conditioning
<input type="checkbox"/>	Available drinking water
<input type="checkbox"/>	Public Restrooms continuously maintained and accessible to disabled
<input type="checkbox"/>	Seating for 10 or more people (Number of seats: _____)
<input type="checkbox"/>	Able to have External Communications (Phone, Computer)
<input type="checkbox"/>	Americans with Disabilities Act (ADA) Compliant
<input type="checkbox"/>	Continuous staffing (1-2 persons per facility)

Locations do not need to meet any or all of the suggested criteria in order to become a cooling center.

Suggested Criteria	
<input type="checkbox"/>	24/7 capability
<input type="checkbox"/>	Large capacity
<input type="checkbox"/>	Toys and small furniture for children
<input type="checkbox"/>	Available television, books, games
<input type="checkbox"/>	Back-up generator
<input type="checkbox"/>	Parking
<input type="checkbox"/>	Proximity in public transit
<input type="checkbox"/>	Transportation for those lacking their own
<input type="checkbox"/>	Area for pets

Appendix B: Heat Index

The heat index is also known as the apparent temperatures, or more commonly known as the “feels like” by weather sites. Loosely, it is what the temperature feels like to the human body when relative humidity and air temperature are combined.

When the body overheats it begins to perspire or sweat in order to cool itself off. The sweat is then evaporated from the body, in a process that is necessary for the body to effectively reduce its temperature. When the atmospheric moisture content (relative humidity) is high, the rate of evaporation of perspiration from the body decreases. This results in the body feeling warmer in humid conditions. When the relative humidity decreases the rate of evaporation of perspiration increases, so the body actually feels cooler in arid conditions.

Heat indexes were created for shady, light wind conditions, which means exposure to sunshine can increase heat index values by up to 15°F. Additionally, strong winds, particularly with very hot, dry air, can be extremely hazardous.

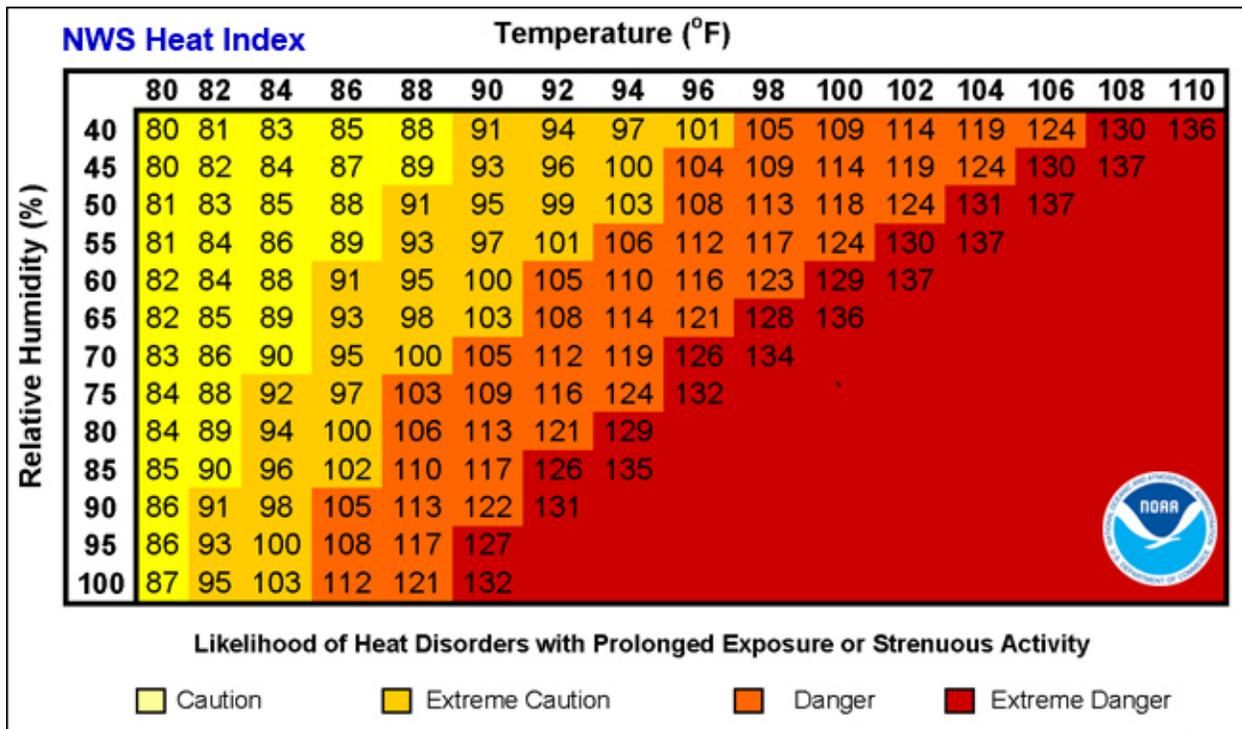


Figure ? : Heat Index (NOAA 2020)

Classification	Heat Index	Effect on the body
Caution	80°F - 90°F	Fatigue possible with prolonged exposure and/or physical activity
Extreme Caution	90°F - 103°F	Heat stroke, heat cramps, or heat exhaustion possible with prolonged exposure and/or physical activity
Danger	103°F - 124°F	Heat cramps or heat exhaustion likely, and heat stroke possible with prolonged exposure and/or physical activity
Extreme Danger	125°F or higher	Heat stroke highly likely

Appendix C: National Weather Service Heat Terms

NATIONAL WEATHER SERVICE HEAT TERMS

EXCESSIVE HEAT WARNING – TAKE ACTION!	An Excessive Heat Warning is issued within 12 hours of the onset of extremely dangerous heat conditions. The general rule of thumb for this warning is when the maximum heat index temperature is expected to be 105° or higher for at least 2 days and night time air temperatures will not drop below 75°; however, these criteria vary across the country, especially for areas not used to extreme heat conditions. If you don't take precautions immediately when conditions are extreme, you may become seriously ill or even die.
EXCESSIVE HEAT WATCHES – BE PREPARED!	Heat watches are issued when conditions are favorable for an excessive heat event in the next 24 to 72 hours. A Watch is used when the risk of a heat wave has increased but its occurrence and timing is still uncertain.
HEAT ADVISORY – TAKE ACTION!	A Heat Advisory is issued within 12 hours of the onset of extremely dangerous heat conditions. The general rule of thumb for this Advisory is when the maximum heat index temperature is expected to be 100° or higher for at least 2 days, and night time air temperatures will not drop below 75°; however, these criteria vary across the country, especially for areas that are not used to dangerous heat conditions. Take precautions to avoid heat illness. If you don't take precautions, you may become seriously ill or even die.
EXCESSIVE HEAT OUTLOOKS – BE AWARE!	The outlooks are issued when the potential exists for an excessive heat event in the next 3-7 days. An Outlook provides information to those who need considerable lead-time to prepare for the event.

Appendix D: Heat-Related Illnesses (CDC)

<https://www.cdc.gov/niosh/topics/heatstress/heatrelillness.html>

Heat Stroke

Heat stroke is the most serious heat-related illness. It occurs when the body can no longer control its temperature: the body’s temperature rises rapidly, the sweating mechanism fails, and the body is unable to cool down. When heat stroke occurs, the body temperature can rise to 106°F or higher within 10 to 15 minutes. Heat stroke can cause permanent disability or death if the person does not receive emergency treatment.

SYMPTOMS	FIRST AID
Confusion, altered mental status, slurred speech Loss of consciousness (coma) Hot, dry skin or profuse sweating Seizure Very high body temperature Fatal if treatment delayed	Call 911 for emergency medical care Stay with the individual until the emergency medical services arrive Move the individual to a shaded, cool area and remove outer clothing Cool the individual quickly, using the following methods: With a cold water or ice bath, if possible Wet the skin Place cold wet cloths on the skin Soak clothing with cool water Circulate the air around the individual to speed cooling Place cold wet cloths or ice on the head, neck, armpits and groin; or soak the clothing with cool water

Heat Syncope

Heat syncope is a fainting (syncope) episode or dizziness that usually occur when standing for too long or suddenly standing up after sitting or lying. Factors that may contribute to heat syncope include dehydration and lack of acclimatization.

SYMPTOMS	FIRST AID
<ul style="list-style-type: none"> • Fainting (short duration) • Dizziness • Light-headedness from standing too long or suddenly rising from a sitting or lying position 	<ul style="list-style-type: none"> • Sit or lie down in a cool place • Slowly drink water, clear juice or a sports drink

Heat Exhaustion

Heat exhaustion is the body's response to an excessive loss of water and salt, usually through excessive sweating. Heat exhaustion is most likely to affect the elderly, people with high blood pressure and those working in a hot environment.

SYMPTOMS	FIRST AID
<ul style="list-style-type: none">• Headache• Nausea• Dizziness• Weakness• Irritability• Thirst• Heavy Sweating• Elevated body temperature• Decreased urine output	<ul style="list-style-type: none">• Take individual to a clinic or emergency room for medical evaluation and treatment• Call 911 if medical care is unavailable• Have someone stay with the individual until help arrives• Remove the individual from the hot area and give liquids to drink• Remove unnecessary clothing, including shoes and socks• Cool the individual with cold compresses or have the individual wash their head, face and neck with cold water• Encourage frequent sips of cool water

Heat Cramps

Heat cramps usually affect individuals who sweat a lot during strenuous activity. This sweating depletes the body's salt and moisture levels. Low salt levels in muscles cause painful cramps. Heat cramps may also be a symptom of heat exhaustion.

SYMPTOMS	FIRST AID
Muscle cramps, pain or spasms in the abdomen, arms or legs	Drink water and have a snack or a drink that replaces carbohydrates and electrolytes (such as sports drinks) every 15 to 20 minutes Avoid salt tablets Get medical help if the individual: Has a heart problem Is on a low sodium diet Has cramps that do not subside within 1 hour

Heat Rash

Heat Rash is a skin irritation caused by excessive sweating during hot, humid weather

SYMPTOMS	FIRST AID
<ul style="list-style-type: none">• Red clusters of pimples or blisters• Usually appears on the neck, upper chest, groin, under the breasts and in elbow creases	<ul style="list-style-type: none">• Work in a cooler, less humid environment, if possible• Keep the rash area dry• Apply powder to increase comfort• Don't use ointments and creams

Rhabdomyolysis

Rhabdomyolysis (rhabdo) is a medical condition associated with heat stress and prolonged physical exertion. Rhabdo causes the rapid breakdown, rupture and death of muscle. When muscle tissue dies, electrolytes and large proteins are released into the bloodstream. This can cause irregular heart rhythms, seizures and damages to the kidneys.

SYMPTOMS	FIRST AID
<ul style="list-style-type: none">• Muscle cramps/pain• Abnormally dark (tea or cola-colored) urine• Weakness• Exercise intolerance• Asymptomatic	<ul style="list-style-type: none">• Stop activity• Drink more liquids (water preferred)• Seek immediate care at the nearest medical facility• Ask to be checked for rhabdomyolysis (i.e., blood sample analyzed for creatine kinase)

Appendix E: Cooling Centers

Glens Falls

Crandall Library		
Location: 251 Glen St	Criteria	Number
Crandall Public Library Contact Number: 518-792-6508 Contact Name: Contact Title:	Air conditioning Units?	
	Available drinking water?	
	Public Restroom w/ ADA compliance?	
	Seating for 10 or more people?	
	Hours of Operation	Communication means? (And Type)
Mon. – Thurs.	9 A.M. – 7 P.M.	ADA Compliant?
Fri. – Sat.	9 A.M. - 5 P.M.	Children’s Toys/Games?
After Hours		Continuous staffing? (1-2 persons min)
		Television?
		Generator?

The Open-Door Mission		
Location: 226 Warren St	Criteria	Number
The Open Door Mission Contact Number: 518-792-5900 Contact Name: Contact Title:	Air conditioning Units?	
	Available drinking water?	
	Public Restroom w/ ADA compliance?	
	Seating for 10 or more people?	
	Hours of Operation	Communication means? (And Type)
Mon. – Sat.	11 A.M. – 7 P.M.	ADA Compliant?
Sun.	11 A.M. - % P.M.	Children’s Toys/Games?
After Hours		Continuous staffing? (1-2 persons min)
		Television?
		Generator?

Queensbury

Aviation Mall		
Location: 578 Aviation Rd	Criteria	Number
Aviation Mall Contact Number: 518-793-8818 Contact Name: Contact Title:	Air conditioning Units?	
	Available drinking water?	
	Public Restroom w/ ADA compliance?	
	Seating for 10 or more people?	
	Hours of Operation	Communication means? (And Type)
Mon. – Sat.	11 A.M. – 7 P.M.	ADA Compliant?
Sun.	11 A.M. - 5 P.M.	Children’s Toys/Games?
After Hours		Continuous staffing? (1-2 persons min)
		Television?
		Generator?

Appendix F: Definitions

- Cooling Center:** A cooling center is a temporary air-conditioned public space set up by local jurisdictions to aid with the health effects of extreme heat over an extended period of time.
- Extreme Heat Event:** When temperatures reach 10° or more above the average high temperature for the region, last or predicted to last for a prolonged period of time. It is usually accompanied with high humidity.
- Heat Index:** This may also be referred to as the apparent temperature, it is what the temperature feels like outside to the human body when relative humidity combines with the air temperature.
- Relative Humidity:** Relative humidity (RH), which is expressed as a percentage, measures water vapor relative to the temperature of the air. More simply, it is a measure of the actual amount of water vapor in the air compared to the total amount of vapor that can exist in the air at its current temperature.

Appendix G: Acronyms

ADA	American Disabilities Act
CEMP	Comprehensive Emergency Management Plan
NWS	National Weather Service
OES	Office of Emergency Services
PIO	Public Information Officer

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Warren County Board of Supervisors

RESOLUTION NO. 329 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, MCDEVITT AND DIAMOND

AUTHORIZING AGREEMENT WITH WASHINGTON COUNTY ALTERNATIVE SENTENCING TO PROVIDE RESTORATIVE JUSTICE SERVICES IN ASSOCIATION WITH RAISE THE AGE FUNDING FOR THE PROBATION DEPARTMENT

WHEREAS, the Director of Probation has requested to enter into an agreement with Washington County Alternative Sentencing, 383 Broadway, Fort Edward, New York 12828, in an amount not to exceed Ten Thousand Dollars (\$10,000), to provide restorative justice services in association with Raise the Age funding, for a term commencing June 1, 2022 and terminating March 31, 2023, and

WHEREAS, the Criminal Justice & Public Safety Committee has approved the request for an agreement with Washington County Alternative Sentencing as outlined above, now, therefore, be it

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

RESOLVED, that if any further funding becomes available or is decreased during the term of this agreement, no further resolution to accept or decrease said monies shall be necessary, and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.3140 470 Probation, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 330 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, MCDEVITT AND DIAMOND

AUTHORIZING AGREEMENT WITH MEDIATION MATTERS TO PROVIDE RESTORATIVE JUSTICE SERVICES IN ASSOCIATION WITH RAISE THE AGE FUNDING FOR THE PROBATION DEPARTMENT

WHEREAS, the Director of Probation has requested to enter into an agreement with Mediation Matters, 10 North Russell Road, 2nd Floor, Albany, New York 12206, in an amount not to exceed Ten Thousand Dollars (\$10,000), to provide restorative justice services in association with Raise the Age funding, for a term commencing June 1, 2022 and terminating March 31, 2023, and

WHEREAS, the Criminal Justice & Public Safety Committee has approved the request for an agreement with Mediation Matters as outlined above, now, therefore, be it

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

RESOLVED, that if any further funding becomes available or is decreased during the term of this agreement, no further resolution to accept or decrease said monies shall be necessary, and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.3140 470 Probation, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 331 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, McDEVITT AND DIAMOND

AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH THE AIDS COUNCIL OF NORTHEASTERN NEW YORK D/B/A ALLIANCE FOR POSITIVE HEALTH TO PROVIDE NARCAN TRAINING AND SUPPLIES IN ASSOCIATION WITH THE OPIOID OVERDOSE PREVENTION PROGRAM FOR THE PROBATION DEPARTMENT

WHEREAS, the Director of Probation has requested a memorandum of understanding with The AIDS Council of Northeastern New York d/b/a Alliance for Positive Health to provide Narcan training and supplies in association with the Opioid Overdose Prevention Program, at no cost to the County, for a term commencing upon execution by both parties and continuing unless terminated upon thirty (30) days written notice by either party, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a memorandum of understanding with The AIDS Council of Northeastern New York d/b/a Alliance for Positive Health consistent with the terms and conditions set forth in the preambles of this resolution and in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 332 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, McDEVITT AND DIAMOND

AUTHORIZING PAYMENT TO ANTHONY RODRIGUEZ FOR PROVIDING INTERPRETER SERVICES ON BEHALF OF THE PROBATION DEPARTMENT

WHEREAS, the Director of Probation has requested authorization to make payment in the amount of One Hundred Sixty Dollars (\$160.00) to Anthony Rodriguez for interpreter services, and

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

RESOLVED, that the Warren County Board of Supervisors authorizes the Warren County Auditor to make payment in the amount of One Hundred Sixty Dollars (\$160.00) to Anthony Rodriguez for interpreter services, and be it further

RESOLVED, that the funds for said payment shall be expended from Budget Code A.3140 439 Probation, Misc Fees & Expenses.

Warren County Board of Supervisors

RESOLUTION NO. 333 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS GERACI, BRAYMER, SEEBER, DICKINSON, DRISCOLL, MCDEVITT AND DIAMOND

**AUTHORIZING THE WARREN COUNTY SHERIFF TO EXECUTE AN AGREEMENT
WITH THE GREAT ESCAPE THEME PARK (SIX FLAGS)
FOR LIMITED POLICE PRESENCE**

WHEREAS, The Great Escape Theme Park (Six Flags) (“The Great Escape”) brings thousands of individuals to Warren County annually, and

WHEREAS, The Great Escape, for the purpose of enhancing public safety and welfare at the theme park, is requesting the Warren County Sheriff’s Office to provide a limited police presence (one (1) patrol officer) at the theme park on such dates and times as the parties agree upon, and

WHEREAS, for the limited police presence, The Great Escape has agreed to pay the Warren County Sheriff’s Office at an hourly overtime rate for the specific employee plus fringe benefits, and

WHEREAS, this limited police presence at The Great Escape is budget neutral meaning it is provided at no additional cost to Warren County, and

WHEREAS, the Warren County Sheriff is requesting to enter into an agreement with the Great Escape Theme Park, to provide a limited police presence consisting of one (1) patrol officer at the theme park on such dates and times as the parties agree upon, for a term commencing June 1, 2022 and continuing unless terminated upon thirty (30) days written notice by either party, now, therefore, be it

RESOLVED, that the Warren County Sheriff enter into an agreement with The Great Escape to provide a limited police presence (one (1) patrol officer) within the theme park on such dates and times as the parties agree upon, at an hourly overtime rate for the specific employee plus fringe benefits, for a term commencing June 1, 2022 and continuing unless terminated upon thirty (30) days written notice by either party, with the Great Escape providing proof of liability insurance coverage and indemnification of Warren County as an additional insured party, in a form approved by the County Attorney, and be it further

RESOLVED, that any necessary budget amendments to reflect the Sheriff’s Office increase in overtime and the budget neutral impact of this agreement are hereby authorized.

Warren County Board of Supervisors

RESOLUTION NO. 334 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS WILD, MCDEVITT, HOGAN, STROUGH, LEGGETT, FRASIER AND MAGOWAN

AMENDING AGREEMENT WITH L&S ENERGY SERVICES TO CONDUCT A LEVEL 2 ENERGY AUDIT FOR THE WARREN COUNTY MUNICIPAL CENTER, TO INCREASE THE NOT TO EXCEED AMOUNT AND EXTEND THE TERMINATION DATE

WHEREAS, pursuant to Resolution No. 595 of 2021, the Chair of the Board of Supervisors was authorized to execute an agreement with L&S Energy Services, 58 Clifton Country Road, Clifton Park, New York 12065, to conduct a Level 2 energy audit for the Warren County Municipal Center utilizing FlexTech contractor as per NYSERDA program guidelines, over a term commencing prior to June 20, 2021 and terminating November 30, 2021, at a cost not to exceed Nine Thousand Nine Hundred Eighty-Four Dollars (\$9,984), and

WHEREAS, the Economic Growth & Development Committee has approved a request amend the agreement to increase the not to exceed amount from Nine Thousand Nine Hundred Eighty-Four Dollars (\$9,984) to Eleven Thousand Nine Hundred Eighty-Four Dollars (\$11,984) and extend the termination date to November 30, 2022, 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 L&S Energy Services, 58 Clifton Country Road, Clifton Park, New York 12065, to increase the not to exceed amount from Nine Thousand Nine Hundred Eighty-Four Dollars (\$9,984) to Eleven Thousand Nine Hundred Eighty-Four Dollars (\$11,984) and extend the termination date to November 30, 2022, 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. 595 of 2021 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 335 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS WILD, MCDEVITT, HOGAN, STROUGH, LEGGETT, FRASIER AND MAGOWAN

RESCINDING RESOLUTION NO. 475 OF 2009, WHICH AUTHORIZED USE OF COUNTY GIS SERVICES BY MUNICIPALITIES IN WARREN COUNTY IN RETURN FOR CERTAIN PAYMENT AND AUTHORIZING INTERMUNICIPAL AGREEMENTS REGARDING THE SAME

WHEREAS, pursuant to Resolution No. 475 of 2009, the Warren County Board of Supervisors authorized use of County GIS services from the Planning Department to municipalities requesting such services upon the following terms and conditions:

1. An intermunicipal agreement must be executed which will set forth the terms recommended by the County Attorney with regard to the provision of services, costs of the services, and the terms of payment;
2. For the time period of July 1, 2009 through December 31, 2009, interested municipalities shall have the option of paying a flat sum of Twelve Hundred Fifty Dollars (\$1,250) or the hourly amount of Thirty Dollars (\$30) for the use of GIS services;
3. Commencing January 1, 2010, all interested municipalities requesting GIS services shall be charged at the hourly rate of Thirty Dollars (\$30) for services used to the nearest quarter of an hour;
4. Services shall be provided with the understanding that the County may discontinue the provision of GIS services at any time;
5. Billings based on a flat sum for the year 2009 shall be payable within thirty (30) days of execution of the agreement, and billings based on the hour shall be billed quarterly and shall be payable within thirty (30) days of the date the bill is sent to the municipality,

and

WHEREAS, the County Planner has advised that the rates and intent are no longer a part of the Planning Department operating procedure, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby rescinds Resolution No. 475 of 2009.

Warren County Board of Supervisors

RESOLUTION NO. 336 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS WILD, MCDEVITT, HOGAN, STROUGH, LEGGETT, FRASIER AND MAGOWAN

RESCINDING RESOLUTION NO. 650 OF 2012, WHICH ESTABLISHED THE STATE BILL RATE FOR GIS SERVICES FOR NON-GOVERNMENT ENTITIES

WHEREAS, pursuant to Resolution No. 650 of 2012, the Warren County Board of Supervisors established the State billing rate for GIS services for non-government entities at Sixty-Five Dollars (\$65) per hour for GIS services for contract and other services provided to non-government entities and in the event the State billing rate shall increase, the Warren County Planning Department is authorized to bill for said services at the current State billing rate, and

WHEREAS, the County Planner has advised that reimbursement requests to the State are done at prevailing wage hourly rates based on salary and fringe benefits, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby rescinds Resolution No. 650 of 2012.

Warren County Board of Supervisors

RESOLUTION NO. 337 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, HOGAN, BRAYMER, CONOVER, BEATY AND GERACI

AMENDING RESOLUTION NO. 533 OF 2021, WHICH AUTHORIZED AGREEMENTS WITH COMMUNITY SERVICES BOARD AND VARIOUS AGENCIES TO PROVIDE SPECIALIZED MENTAL HEALTH CRISIS RESPITE SERVICES FOR YOUTH, TO CHANGE THE NOT TO EXCEED AMOUNT AND ADD NEW CONTRACTS

WHEREAS, pursuant to Resolution No. 531 of 2021 the Warren County Board of Supervisors authorized the Chair of the Warren County Community Services Board to execute agreements with various agencies and institutions listed in Schedule “A,” attached hereto, to provide specialized mental health crisis respite services for youth for the Office of Community Services, for amounts not to exceed the respective amounts set forth in Schedule “A,” and

WHEREAS, the Health Services Committee has approved a request to amend Resolution No. 533 of 2021 to reflect changes to Schedule “A” to add new contracts with Kassia’s Play Dates, People, USA, and Big Brother and Big Sisters of the Southern Adirondacks, and to change the not to exceed amount for each agency/institution to Fifty-Nine Thousand Three Hundred Ninety-Six Dollars (\$59,396) to be on an as needed basis, now, therefore, be it

RESOLVED, that Warren County Board of Supervisors hereby authorizes the Chair of the Warren County Community Services Board to execute agreements with the following agencies and institutions to provide specialized mental health crisis respite services for youth for the Office of Community Services as outlined on the attached Schedule “A,” in a form approved by the County Attorney, and be it further

RESOLVED, that if any further state aid funding becomes available or is decreased during the term of these agreements, no further resolution to accept or decrease said monies is necessary, and the Chair of the Board of Supervisors is authorized to execute any documents necessary to receive the funds, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 533 of 2021 will remain the same.

RESOLUTION No. 337 OF 2022

PAGE 2 OF 2

SCHEDULE "A"

<u>NAME</u>	<u>AMOUNT</u> (As Needed, Not to Exceed)	<u>BUDGET CODE</u>
Northern Rivers/Northeast Parent & Child Center	\$59,396.00	A.4310 470
Wait House	\$59,396.00	A.4310 470
CAPTAIN Community Human Services	\$59,396.00	A.4310 470
Vanderheyden Hall	\$59,396.00	A.4310 470
Kassia's Play Dates	\$59,396.00	A.4310 470
People, USA	\$59,396.00	A.4310 470
Big Brothers and Big Sisters of the Southern Adirondacks	<u>\$59,396.00</u>	A.4310 470
	\$59,396.00 <i>total budget for all contracts</i>	

Warren County Board of Supervisors

RESOLUTION NO. 338 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, HOGAN, BRAYMER, CONOVER, BEATY AND GERACI

**AUTHORIZING AGREEMENT WITH MAGGIE WOOD, OCCUPATIONAL THERAPIST
D/B/A MAGGIE WOOD TO PROVIDE COMMITTEE PRESCHOOL SPECIAL EDUCATION
(CPSE) SERVICES TO ELIGIBLE WARREN COUNTY CHILDREN**

RESOLVED, that Warren County enter into an agreement with Maggie Wood, Occupational Therapist d/b/a Maggie Wood, 389 New Vermont Road, Bolton Landing, New York 12814, to provide Committee Preschool Special Education (CPSE) Services to eligible Warren County Children, at New York State rates, for a term commencing July 18, 2022 and automatically renewing upon the same terms and conditions, or until such time as the agreement is terminated by either party upon thirty (30) days written notice, and the Warren County Board of Supervisors authorizes the Chair of the Board of Supervisors to execute an agreement in a form approved by the County Attorney, and be it further,

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

Warren County Board of Supervisors

RESOLUTION NO. 339 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, HOGAN, BRAYMER, CONOVER, BEATY AND GERACI

AUTHORIZING AGREEMENT WITH MAGGIE WOOD TO PROVIDE OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT

RESOLVED, that Warren County enter into an agreement with Maggie Wood to provide occupational therapy services, as follows:

Certified Home Health Agency

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

for a term commencing July 18, 2022 and automatically renewing upon the same terms and conditions, or until such time as the agreement is terminated upon thirty (30) days written notice by either party, and the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement in a form approved by the County Attorney, and be it further

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

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.4010 444 Health Services, Travel/Education/Conference.

Warren County Board of Supervisors

RESOLUTION NO. 340 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, HOGAN, BRAYMER, CONOVER, BEATY AND GERACI

AUTHORIZING AGREEMENT WITH GAYLE PLISCOFSKY, OCCUPATIONAL THERAPIST D/B/A GAYLE PLISCOFSKY TO PROVIDE COMMITTEE PRESCHOOL SPECIAL EDUCATION (CPSE) SERVICES TO ELIGIBLE WARREN COUNTY CHILDREN

RESOLVED, that Warren County enter into an agreement with Gayle Pliscofsky, Occupational Therapist d/b/a Gayle Pliscofsky, P.O. Box 87, Fort Edward, New York 12828, to provide Committee Preschool Special Education (CPSE) Services to eligible Warren County Children, at New York State rates, for a term commencing July 18, 2022 and automatically renewing upon the same terms and conditions, or until such time as the agreement is terminated by either party upon thirty (30) days written notice, and the Warren County Board of Supervisors authorizes the Chair of the Board of Supervisors to execute an agreement in a form approved by the County Attorney, and be it further,

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

Warren County Board of Supervisors

RESOLUTION NO. 341 OF 2022

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

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FY2022 PROCESS AND TECHNOLOGY IMPROVEMENT GRANT FUNDING

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute and submit an application to the United States Department of Agriculture for SNAP FY2022 Process and Technology Improvement grant funding, for an amount and a term to be determined, which requires no County matching funds, and be it further

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

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

Warren County Board of Supervisors

RESOLUTION NO. 342 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, DRISCOLL, CONOVER, FRASIER, THOMAS, MCDEVITT AND SEEBER

RENEWING NEW YORK STATE RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1) AND ADOPTING LGS-1 AS THE COUNTY SUBJECT MATTER LIST

WHEREAS, by Resolution No. 489 of 2020 the Warren County Board of Supervisors adopted the New York State Retention and Disposition Schedule LGS-1, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, containing legal minimum retention periods for County Government Records, and

WHEREAS, records will be disposed of only as they are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein, and

WHEREAS, only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods, and

WHEREAS, the Retention and Disposition Schedule for New York Local Government Records (LGS-1) provides a subject matter list of all records in the possession of a municipality, now, therefore, be it

RESOLVED, that the New York State Retention and Disposition Schedule for New York Local Government Records (LGS-1) as described above be, and hereby is adopted effective July 15, 2022, and be it further

RESOLVED, that the New York State Retention and Disposition Schedule for New York Local Government Records (LGS-1) as described above be, and hereby is, adopted as the current subject matter list for the County, as required by Section 87(3)(c) of the Public Officer's Law.

Warren County Board of Supervisors

RESOLUTION NO. 343 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, DRISCOLL, CONOVER, FRASIER, THOMAS, MCDEVITT AND SEEBER

**AUTHORIZING AGREEMENT WITH VINYL DEVELOPMENT, LLC
D/B/A ZUDY TO PROVIDE A PROGRAMMING TOOL FOR THE
INFORMATION TECHNOLOGY DEPARTMENT**

WHEREAS, the Director of Information Technology is requesting to enter into an agreement with Vinyl Development, LLC d/b/a Zudy, 1560 Lenox Avenue, Suite 203, Miami Beach, Florida 33139, to provide a programming tool, for a five (5) year term commencing July 1, 2022 and terminating June 30, 2027, unless terminated by either party upon thirty (30) days written notice, for an amount not to exceed One Hundred Twenty Thousand One Hundred Eighty-One Dollars and Sixty Cents (\$120,181.60), as follows:

YEAR	AMOUNT
1 (7/1/22-6/30/23)	\$22,000.00
2 (7/1/23-6/30/24)	\$24,000.00
3 (7/1/24-6/30/25)	\$24,000.00
4 (7/1/25-6/30/26)	\$24,720.00
5 (7/1/26-6/30/27)	\$25,461.60

and,

WHEREAS, the Legislative, Rules & Governmental Operations Committee has approved the request for an agreement with Vinyl Development, LLC d/b/a Zudy as outlined above, 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 Vinyl Development, LLC d/b/a Zudy to provide a programming tool as described in the preambles of this resolution for a five (5) year term commencing July 1, 2022 and terminating June 30, 2027, unless terminated by either party upon thirty (30) days written notice, for an amount not to exceed One Hundred Twenty Thousand One Hundred Eighty-One Dollars and Sixty Cents (\$120,181.60), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for said agreement shall be expended from Budget Code A.1680 470, Information Technology, Contract.

Warren County Board of Supervisors

RESOLUTION NO. 344 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, DRISCOLL, CONOVER, FRASIER, THOMAS, MCDEVITT AND SEEGER

ADOPTING 2022 WARREN COUNTY MISSION STATEMENT

WHEREAS, the County Administrator has presented the 2022 Warren County Mission Statement included with this resolution as Schedule “A” and the Legislative, Rules & Governmental Operations Committee has approved and recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the proposed 2022 Warren County Mission Statement, annexed hereto as Schedule “A,” be, and the same hereby is, adopted as the official mission statement for Warren County.

SCHEDULE "A"

2022 WARREN COUNTY MISSION STATEMENT

Warren County government works for its Warren County residents; funding shall be dedicated to protecting and enhancing our residents' quality of life by providing excellent services in a cost-effective manner.

Warren County Board of Supervisors

RESOLUTION NO. 345 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, DRISCOLL, CONOVER, FRASIER, THOMAS, MCDEVITT AND SEEBER

ADOPTING THE 2022 PURCHASING POLICY FOR WARREN COUNTY

WHEREAS, the Purchasing Agent for Warren County has updated and clarified the Warren County Purchasing Policy and the Legislative, Rules & Governmental Operations 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 2022 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 2022 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 2022

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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. When contemplating the use of State Contract, you MUST read the contract terms and "How to Use" attachment which will outline whether or not quotes or a mini-bid is required.
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 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.

1. Commodity/Equipment/Furniture Purchases (continued)

Where bids are required, the Department Head will assist the Purchasing Agent in the preparation

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.

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.

\$3,001 - \$10,000.99: Documented verbal quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from Purchasing BEFORE the item is ordered.

\$10,001 - \$19,999.99: Formal written or fax quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from the appropriate committee, and a Board of Supervisors Resolution adopted BEFORE the item is ordered.

\$20,000 & Up: Sealed bids in conformance with GML §103. When the lowest bid is deemed as not acceptable, documented facts must support the decision and approval must be obtained from the appropriate committee, and a Board of Supervisors Resolution adopted BEFORE the item is ordered.

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

\$10,001 - \$19,999.99			X	
\$20,000 & up				Bid

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

2. Public Works Projects/Contracts

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

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

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

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

a. Competitive Bidding:

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

b. Bid Approval Process:

- a. Bids for public works projects will be awarded by a Board of Supervisor’s Resolution after the following conditions are met:
 - i. Sufficient appropriations are contained within the Department’s current

budget (or after a budget transfer has been completed).

- ii. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the bids received meet the intent of the specifications.

c. Bidding Timeline:

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

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

d. Dollar limit guidelines:

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

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

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

f. **Retainage:**

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

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

Exceptions - This policy does not apply to the following:

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

3. Best Value Methodology

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

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

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

Requirements:

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

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

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

4. Professional Services

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

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

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

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

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

3. Professional Services (continued)

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

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

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

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

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

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

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

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

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

C. Exemptions and Exceptions to Purchasing Policy:

- 1. It will NOT be necessary to seek quotes, RFP’s or bids to comply with this Purchasing Policy for the following, however, contracts for services shall still be required (unless it’s determined by the County Administrator, Chair of the Board and/or the County Attorney that one is not required):

- a. Emergencies: GML §103(4) describes an emergency as an urgent need affecting the health and safety of citizens, which requires immediate action, where the occurrence or condition is “unforeseen”. Lack of anticipation or planning cannot be deemed as a cause for declaring an emergency. A true emergency does not exclude the need for securing competitive pricing, only the formal bidding process. An exception to the competitive bidding requirements exists for emergency situations. There are three basic statutory criteria to be met in order to fall within this exception. These are that: (1) the situation arises out of an accident or unforeseen occurrence or condition; (2) public buildings, public property or the life, health, safety or property of the political subdivision’s residents are affected; and (3) the situation requires immediate action which cannot await competitive bidding. When the Board of Supervisors passes a Resolution that a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances. The County Attorney and the Chair[man] of the Board shall be consulted and will make a recommendation as to how to proceed. The Board of Supervisors’ committee chairperson (and committee, if time permits) shall also be advised.
- b. Employment and Training Services obtained through SUNY Adirondack and/or Washington-Saratoga-Warren-Hamilton-Essex (WSWHE) Board of Cooperative Educational Services for educational services.
- c. Membership dues and conference fees.
- d. All Physicians, Dentists and any Medical Providers for departments including, but not limited to, the Health Services Department, Warren County Sheriff’s Office, Office of Emergency Services, Self-Insurance, Countryside Adult Home and the Department of Public Works. Also included shall be counseling services for the Office of Community Services. Data from other counties or individuals may be used to compare costs.
- e. Attorneys needed for a particular or specialized requirement as reviewed and approved by the Finance Committee.
- f. Situations not required by Law such as New York State Executive Law, Article 2B, State and Local Natural and Man-Made Disaster Preparedness Subsection 29A Suspension of Other Laws.
- g. Subscriptions for updates to existing Law Libraries.
- h. Public works services where, upon the determination by the Department Head, it is not feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repairs to be handled by County employees including auto body repairs), until the item is inspected and/or dismantled and a cost for inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes. If auto repairs are authorized by the Insurance Carrier as a result of an accident, Department Head may proceed upon the recommendation of the Insurance Adjuster.
- i. Pursuant to GML §103(6), surplus and second hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the Federal

Government, the State of New York or from any other political subdivision, district or public benefit corporation.

- j. When procurements for goods or services are funded by State and/or Federal agencies, and procurement policies other than Warren County's are required, by law, to be followed, the Federal and/or State procurement policies shall supercede the County's Purchasing Policy.
- k. Produce purchases which shall not exceed \$20,000 in the aggregate on an annual basis, due to the volatility of the market, large minimum order requirements, and remoteness of some County sites. In the event of large orders over \$1,500 per site, quotes must be obtained.

2. Quotes or proposals are not required for Sole Source & Single Source Commodities or Services

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

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

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

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

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

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

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

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

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

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

- a. After a Department has been given budget funding and approval to lease equipment, unless the lease is on State Contract, RFP's must be obtained through the Purchasing Department. Where a lease will not exceed a total of \$2,000 annually, no RFP shall be required. Quotes must be obtained and the Purchasing Agent shall sign the lease as indicated in Section II(C)(3)(e) below.
- b. A written explanation must be sent to Purchasing when the lowest lease quotation or response to an RFP is not taken, and a Board of Supervisors Resolution must be obtained;
- c. Appropriations must be specifically available for the lease (this will be considered authorization by the Board to enter into the lease);
- d. The lease agreement entered into may be for multiple years but must:
 - i. not contain any automatic buyout or automatic renewal clauses;
 - ii. contain a non-appropriation clause; and
 - iii. address the disposition of the equipment at the end of the lease so that the vendor pays the cost for return of the equipment, etc.
- e. All lease agreements shall be treated as purchases and signed by the Purchasing Agent; and
- f. While the lease agreement may not contain an automatic renewal clause, at the end of the lease term, departments may extend the lease agreement beyond the original term for a period of up to 18 months without securing additional quotes or engaging in an RFP process provided that:
 - i. the lease payments do not increase;
 - ii. the department has appropriations therefore; and
 - iii. Purchasing Agent approval is received.Any extension longer than eighteen (18) months must be justified to, and authorized by, the Purchasing Agent.

SECTION III

III. PURCHASE ORDERS

A. General

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

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

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

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

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

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

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

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

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

Purchases of \$499.99 or under do NOT require a Purchase Order. The following additional purchases do NOT require a Purchase Order. Purchases billed to the Department on a monthly basis not requiring Purchase Orders are Postal costs, Internet and Telephone charges, and routine Printing needs, which are

to be handled by the Print Shop, via a Printing Order Form. Also exempt from the Purchase Order requirement are mileage, utilities and gas. To obtain routine maintenance and repairs, a Work Order Form must be completed and submitted to the Buildings & Grounds Department at the Municipal Center. Requests for shelving, bookcases, bulletin boards, and computer work stations may also be handled in this manner. When Buildings & Grounds funds are available for such requests, there will be no charge for Work Order requests to the individual departments. However, if Buildings & Grounds funds are not available or otherwise committed, it is the responsibility of the department to purchase required materials. Department Heads must be responsible for making sure that all these procedures are complied with as outlined in this Purchasing Policy.

B. Blanket Purchase Orders

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

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

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

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

C. Emergency Purchase Order

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

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

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

D. Purchase Order Checklist

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

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

SECTION IV

IV. ASSET MANAGEMENT

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

A. Fixed Assets

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

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

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

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

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

B. Capital Assets

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

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.
- ▶ 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 Legislative, Rules & Governmental Operations Committee 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.
- ▶ 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

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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. 346 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, WILD, MAGOWAN, RUNYON, STROUGH AND GERACI

AMENDING RESOLUTION NO. 570 OF 2021, AUTHORIZING AGREEMENTS WITH CERTAIN APPLICANTS FOR THE DISBURSEMENT OF 2022 OCCUPANCY TAX REVENUES, TO AUTHORIZE AGREEMENTS AND FUNDING TO WARRENSBURG BIKE RALLY AND ADIRONDACK CHRISTKINDLMARKT

WHEREAS, pursuant to Resolution No. 570 of 2021, as amended by Resolution No. 136 of 2022, 185 of 2022 and 235 of 2022, 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 June 20, 2022 Occupancy Tax Coordination meeting, the Committee considered and approved requests from the following applicants for occupancy tax funding:

<u>Applicant</u>	<u>Event</u>	<u>Dates</u>	<u>Amount of Award</u>
Warrensburg Bike Rally	Warrensburg Bike Rally	6/3/22- 6/12/22	\$10,000.00 <i>Special Event Funding</i>
The Glens Falls Collaborative and the City of Glens Falls	Adirondack Christkindlmarkt	12/2/22 - 12/4/22	\$25,000.00 <i>Special Event Funding</i>

now, therefore, be it

RESOLVED, that Resolution No. 570 of 2021, as subsequently amended by Resolution No. 136 of 2022, 185 of 2022 and 235 of 2022 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 applicants, for 2022 funding in the amount of Thirty-Five Thousand Dollars (\$35,000) and to increase the total amount of occupancy tax funding to Six Hundred Sixty-One Thousand Five Hundred Dollars (\$661,500), to be expended from Budget Code A.6417.0002 480 Tourism/Occupancy, Occupancy Tax, Tourism-Special Events (\$613,500) and Budget Code A.6417.0002 469.05 Tourism/Occupancy, Occupancy Tax, Municipal Application Funding (\$48,000), 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. 570 of 2021, as amended by Resolution No. 136 of 2022, 185 of 2022 and 235 of 2022 will remain the same.

SCHEDULE "A"

2022 Occupancy Tax Awards

	APPLICANT	EVENT	DATE	AMOUNT OF AWARD
1	Adirondack Hot Air Balloon Festival	Adirondack Hot Air Balloon Festival	9/22/22 - 9/25/22	\$40,000.00
2	Adirondack Cycling Advocates, Inc.	Promotion of Bicycling	2022	\$20,000.00
3	Adirondack Folk School	Marketing and Production	2022	\$12,000.00
4	Adirondack Nationals Car Show	Adirondack Nationals Car Show	9/8/22-9/11/22	\$25,000.00
5	Adirondack Wine and Food Festival	Adirondack Wine and Food Festival	6/25/22 - 6/26/22	\$40,000.00
6	Alpha Win	Lake George Triathlon Festival	9/3/22 - 9/4/22	\$15,000.00
7	Americade, Inc.	Americade	6/7/22-6/11/22	\$50,000.00
8	The Hyde Collection	Marketing and Publications	1/29/22-12/31/22	\$25,000.00
9	Improv Records, Inc.	2 Music Events	5/27/22-5/29/21; 9/2/22 - 9/4/22	\$40,000.00
10	Independence Day	Independence Day Celebration	7/3/22	\$5,000.00
11	Lake George Arts & Crafts Festival	Lake George Arts & Crafts Festival	7/29/22-7/31/22	\$3,000.00
12	Lake George BBQ Festival	Lake George BBQ Festival	8/19/22-8/21/22	\$3,000.00
13	Lake George Music Festival	Lake George Music Festival	8/10/22 - 8/18/22	\$25,000.00
14	Lake George Dinner Theatre	Lake George Dinner Theatre	7/21/22 - 10/8/22	\$5,000.00

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15	Nearby-Faraway	Georgia O'Keefe Musical	7/22/22 - 7/24/22; 7/29/22- 7/31/22	\$10,000.00
16	NYSPHSAA Boys Basketball Championships - Glens Falls	Boys Basketball Championships	3/18/22 - 3/20/22	\$30,000.00
17	Prime Time Lacrosse	Lake George National Invitational	7/22/22 - 7/24/22	\$30,000.00
18	Warrensburg Garage Sale	World's Largest Garage Sale	9/30/22 - 10/2/22	\$28,000.00
19	Lake George Winter Carnival, Inc.	Lake George Winter Carnival, Inc.	1/28/22 - 2/27/22	\$50,000.00
20	Lyme Adirondack Timberlands, LLC	Access to Hague Fire Tower	2022	\$2,500.00
21	Northeast District Barbershop Harmony Society Divisional Contest and Convention	Northeast District Barbershop Harmony Society Divisional Contest and Convention <i>* total to be reduced in the amount of any award made by the Town of Queensbury</i>	4/29/22- 5/1/22	\$15,000.00*
22	Adirondack Sports Complex, LLC	2022 Softball Tournaments	1/1/22- 12/31/22	\$45,000.00
23	Greater Glens Falls Transit	CDPHP Cycle Program	4/1/22- 5/1/22	\$10,000.00
24	Special Olympics NY	Special Olympics NY Fall Games	10/21/22- 10/23/22	\$50,000.00
25	Warrensburg Bike Rally	Warrensburg Bike Rally	6/3/22- 6/12/22	\$10,000.00
26	The Glens Falls Collaborative and the City of Glens Falls	Adirondack Christkindlmarkt	12/2/22- 12/4/22	\$25,000.00
TOTAL				\$613,500.00
<i>to be paid from A.6417.0002 480, Special Event Funding</i>				

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	<u>APPLICANT</u>	<u>EVENT</u>	<u>DATE</u>	<u>AMOUNT OF AWARD</u>
1	Town of Horicon	Food Truck Friday's on the Pond	7/1/22 - 9/2/22	\$14,000.00
2	Up Yonda Environmental Center	Summer Nature Programs	5/1/22- 9/30/22	\$3,000.00
3	Town of Chester	Adirondack Woof Stock	6/4/22- 6/5/22	\$6,000.00
4	Village of Lake George	Weekly Summer Events	6/1/22 - 8/30/22	\$25,000.00
TOTAL				\$48,000.00
<i>to be paid from A.6417.0002 469.05, Municipal Application Funding</i>				

Warren County Board of Supervisors

RESOLUTION NO. 347 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, WILD, MAGOWAN, RUNYON, STROUGH AND GERACI

AMENDING AGREEMENT WITH CLIFF & REDFIELD INTERACTIVE TO PRODUCE ARTICLES AND CONTENT AIMED AT HIGHLIGHTING THE FIRST WILDERNESS HERITAGE CORRIDOR, TO INCLUDE A MARKETING AND COMMUNICATIONS PLAN

WHEREAS, Resolution No. 471 of 2021 authorized an agreement with Cliff & Redfield Interactive, to formalize a content partnership relative to the development of a series of articles and other content relative to The First Wilderness Heritage Corridor, at no cost to the County, for a term commencing upon execution by both parties and continue until terminated upon thirty (30) days written notice by either party, and

WHEREAS, the Occupancy Tax Coordination Committee has approved a request to include a marketing and communications plan for The First Wilderness Heritage Corridor and other surrounding areas in Warren County, for an amount not to exceed Eight Thousand Four Hundred Dollars (\$8,400), for a term commencing May 1, 2022 and terminating January 31, 2023, 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 Cliff & Redfield Interactive, 14 Westbury Drive, Saratoga Springs, New York 12801, to include a marketing and communications plan for The First Wilderness Heritage Corridor and other surrounding areas in Warren County, in an amount not to exceed Eight Thousand Four Hundred Dollars (\$8,400), for a term commencing May 1, 2022 and terminating January 31, 2023, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.8021 470 Planning (and Comm. Dev.), Contract, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 471 of 2021 will remain the same.

Warren County Board of Supervisors

RESOLUTION NO. 348 OF 2022

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

AUTHORIZING RENEWAL OF AGREEMENTS WITH THE CITY OF GLENS FALLS AND SOUTH WARREN SNOWMOBILE CLUB, INC. PROVIDING FOR THE LICENSING OF USE OF TRAILS OWNED BY THE CITY OF GLENS FALLS AND TRAIL DEVELOPMENT AND MAINTENANCE

RESOLVED, that Warren County continue the agreements (most recently authorized by Resolution No. 278 of 2021) with the City of Glens Falls, 42 Ridge Street, Glens Falls, New York 12801, for the purpose of obtaining the license to allow use of property owned by the City of Glens Falls, County of Warren, New York, for snowmobile trail purposes (with South Warren Snowmobile Club, Inc. to develop and maintain the trails), for a term commencing July 1, 2022 and terminating June 30, 2023 and containing an early termination clause, which agreement may provide for plowing of a parking lot by Warren County employees, defense, indemnification and holding the City harmless from licensed activities, and be it further

RESOLVED, that in addition to the above agreement, Warren County enter into a separate agreement with South Warren Snowmobile Club, Inc., P.O. Box 258, Lake Luzerne, New York 12846-0258, whereby the County furnishes and/or allows use of trails it has acquired and the Club develops (as may be necessary) and maintains County and Club snowmobile trails for the purpose of allowing free public use of said trails, which agreement shall: (1) commence July 1, 2022 and terminate June 30, 2023 and contain an early termination clause, in a form approved by the County Attorney; (2) provide that the County has acquired or will acquire certain easements for snowmobile trails; (3) provide for development, as may be necessary, and maintenance of trails by the Club; (4) provide for use of the snowmobile trails by the general public at no cost; (5) provide additional insured status for the County and such other parties as the County Attorney shall recommend; (6) provide an indemnification and defense clause for the County and such other parties as the County Attorney shall recommend; and (7) contain such other provisions recommended by the County Attorney and otherwise be in a form approved by the County Attorney, with the Chair of the Board of Supervisors being authorized to execute both agreements with the City of Glens Falls and South Warren Snowmobile Club, Inc.

Warren County Board of Supervisors

RESOLUTION NO. 349 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2022 TO CREATE/DELETE POSITIONS FOR THE COUNTY ATTORNEY; PUBLIC DEFENDER; AND COUNTY CLERK

RESOLVED, that the Tables of Organization and the Warren County Salary and Compensation Plan for 2022 are hereby amended as follows:

COUNTY ATTORNEY

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1420 110</u>		
<u>TITLE:</u> 3 rd Assistant County Attorney	July 18, 2022	\$65,295

<u>Deleting Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1420 110</u>		
<u>TITLE:</u> Tax Coordinator	July 18, 2022	\$47,417

PUBLIC DEFENDER

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1171.4202 110</u>		
<u>TITLE:</u> Legal Clerk III #1	July 18, 2022	\$40,784 Grade 10

<u>Deleting Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1171.4202 110</u>		
<u>TITLE:</u> Legal Clerk	July 18, 2022	\$33,076 Grade 5

<u>Deleting Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1171.4202 130</u>		
<u>TITLE:</u> Investigator (Part Time)	July 18, 2022	\$23,988

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COUNTY CLERK

Creating Position of:

A.1410 110

TITLE:

Legal Recording Clerk #3

EFFECTIVE DATE

July 18, 2022

BASE ANNUAL SALARY

\$36,414

Grade 7

Deleting Position of:

A.1410 110

TITLE:

Recording Clerk #1

EFFECTIVE DATE

July 18, 2022

BASE ANNUAL SALARY

\$36,414

Warren County Board of Supervisors

RESOLUTION NO. 350 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

AMENDING TABLES OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2022 TO ADJUST POSITIONS FOR THE PUBLIC DEFENDER; AND COUNTRYSIDE ADULT HOME

RESOLVED, that the Tables of Organization and the Warren County Salary and Compensation Plan for 2022 are hereby amended as follows:

PUBLIC DEFENDER

<u>Decreasing Salary from:</u> <u>A.1171.4202 110</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>TITLE:</u> 9 th Assistant Public Defender	Retroactive to June 20, 2022	\$74,089

<u>Decreasing Salary to:</u> <u>A.1171.4202 110</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>TITLE:</u> 9 th Assistant Public Defender	Retroactive to June 20, 2022	\$71,988

<u>Decreasing Salary from:</u> <u>A.1171.4202 110</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>TITLE:</u> 6 th Assistant Public Defender	July 18, 2022	\$70,806

<u>Decreasing Salary to:</u> <u>A.1171.4202 110</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>TITLE:</u> 6 th Assistant Public Defender	July 18, 2022	\$65,295

<u>Decreasing Salary from:</u> <u>A.1171 110</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>TITLE:</u> Confidential Secretary	July 18, 2022	\$50,607

<u>Decreasing Salary to:</u> <u>A.1171 110</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>TITLE:</u> Confidential Secretary	July 18, 2022	\$46,894 (32 hrs per week)

RESOLUTION No. 350 OF 2022

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COUNTRYSIDE ADULT HOME

<u>Changing Position from:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.6030 130</u>		
<u>TITLE:</u> Institutional Aide PT #3 (Part Time)	July 18, 2022	\$30,373 (pro-rated 32 hrs per week) Grade 3

<u>Changing Position to:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.6030 110</u>		
<u>TITLE:</u> Institutional Aide #3 <i>Full Time</i>	July 18, 2022	\$30,373 Grade 3

<u>Changing Position from:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.6030 130</u>		
<u>TITLE:</u> Food Service Helper - PT Temp	July 18, 2022	\$29,735 Grade 2

<u>Changing Position to:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.6030 130</u>		
<u>TITLE:</u> Food Service Helper #5 - PT <i>Permanent</i>	July 18, 2022	\$29,735 Grade 2 (pro-rated up to 20 hrs/wk)

Warren County Board of Supervisors

RESOLUTION NO. 351 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

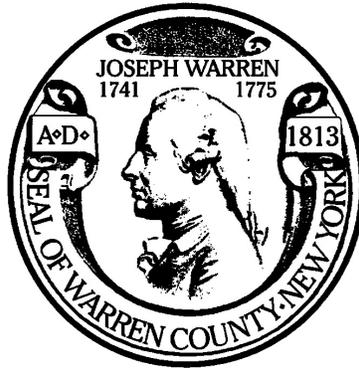
ADOPTING AMENDED WARREN COUNTY TRAVEL, EDUCATION AND VEHICLE USE POLICY

WHEREAS, the Warren County Board of Supervisors adopted an updated Warren County Travel Policy and County Vehicle Use Regulations (hereinafter the “Travel and Education Policy”) by Resolution No. 495 of 2004, which has been updated by many subsequent resolutions, most recently by Resolution Nos. 289 of 2020; 49 of 2021 and 146 of 2021, and

WHEREAS, the Personnel, Administration & Higher Education Committee has reviewed suggested updates to the Warren County Travel, Education and Vehicle Use Policy, has made their own modifications to the Policy and recommends that the same be advanced to the Board of Supervisors for consideration, now, therefore, be it

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

RESOLVED, that any and all prior Travel Policies or County Vehicle Use Regulations or Resolutions are hereby repealed, effective July 15, 2022.



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

I. COUNTY TRAVEL & EDUCATION POLICY

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

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

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

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

B. JOB-RELATED EDUCATIONAL EXPENSES AND TRAVEL APPROVAL

- 1) Job-related educational opportunities available to County officers and employees which do not require travel (i.e. virtual training) and incur no cost to the County require only Department Head approval.
- 2) Job-related educational opportunities available to County officers and employees which will cost the County a total combined cost of \$500.00 per person, or less, for the entire training (whether one session or multiple sessions), to include travel, registration fees, meal costs, and overnight accommodations, shall be approved by the Department Head prior to incurring the expense, so long as the Department's budget contains funding for the total cost within the appropriate object code for that fiscal year without the need to transfer funds from a different object code.
- 3) Job-related educational opportunities available to County officers and employees which will cost the County a total combined cost of more than \$500.00 per person, and for which the Department's budget contains sufficient funding for the total cost within the appropriate object code for the fiscal year without the need to transfer funds from a different object code shall be pre-approved by use of the attached "Authorization to Attend Meeting, Convention, or Training" enclosed at Schedule "A" (Approval Form) and approved by the Department Head, County Administrator, and appropriate supervisory Committee Chair, prior to incurring the expense.
- 4) Job-related educational opportunities available to County officers and employees which will cost the County any amount, and for which the Department's budget does not contain sufficient funding for the

total cost with the appropriate object code for that fiscal year without the need to transfer funds from a different object code, shall be pre-approved by use of the Approval Form signed by the Department Head, County Administrator, and appropriate supervisory Committee chair, prior to incurring the expense. If payment for the job-related educational opportunity expenses requires fund transfers, the Department Head must identify the source(s) of funding by object code.

- 5) *All* job-related educational opportunity expense requests that also require travel and incur a cost of \$500.00, or more, per person, to the County shall require use of the attached Approval Form and County officers and employees shall submit the Approval Form to their Department Head along with all documents describing the requested travel and job-related educational opportunity, along with the registration fees, travel expenses, meal expenses, and overnight accommodations expense, if any, for review and approval by the appropriate approval authority as stated above. The Approval Form, signed by the appropriate approval authority, must be attached to any Purchase Order or Voucher submitted for reimbursement.
- 6) All job-related educational expenses and/or travel expenses over \$500.00 incurred by members of the Board of Supervisors shall be submitted to the Board of Supervisors for approval.
- 7) Travel by County Supervisors, County Administrator, Assistant County Administrator and Department Heads to attend New York State Association of Counties' conferences do NOT need prior approval under this Policy, provided that the Department has budget appropriations for the same and there is compliance with the GSA policy herein.
- 8) All job-related educational and travel authorizations for County officers and employees which will cost the County a total combined cost of more than \$500.00 per person shall be reported to the appropriate oversight Committee at the next scheduled meeting as an informational item.

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

The U.S. General Services Administration Domestic Per Diem Rates are to be used to determine the maximum reimbursement for lodging, meals and incidental expenses. A listing can be found at www.gsa.gov. This section shall not apply to limit the maximum reimbursement rate where the lodging and/or meals are provided at a facility that is the host of an approved conference, training or meeting or is chosen because of its location proximate to the event and where the reimbursement is less than \$100 above the maximum daily GSA rate and where the employee or officer received approval for the increased reimbursement above GSA rate as detailed on his or her Approval Form, except that pre-approval on a Approval Form shall not be required under paragraph I(B)(7) above.

D. EXCEPTIONS

- 1) The Sheriff's Office shall be excepted from the Policy and guidelines concerning mass transportation and travel approval requirements, where the travel is not related to training or conferences, and which have been approved by the Sheriff or Division Commander.
- 2) The Commissioners of the Warren County Board of Elections, staff and machine custodians shall, to the extent authorized by the County Administrator, be excepted from the requirement of use of a County vehicle or a rental vehicle and may use personal vehicles with mileage reimbursement by the County in the performance of their official duties in Warren County concerning the Election Day period (that time period of a few weeks during which matters are readied and concluded for an election), classes in the various municipalities, trips to nursing homes, and voter education sessions. The Office of Emergency Services Director, Fire Coordinator, Emergency Services Coordinator, and Deputy Fire and EMS Coordinators, to the extent authorized by the County Administrator, shall be excepted from the requirement of use of a County vehicle or rental vehicle and may use personal vehicles with mileage reimbursement by the County while in the performance of their official duties, in Warren County and

adjacent counties. The officers and/or employees identified in this division (E)(2) shall, however, when attending conferences or meetings outside the County or in adjacent counties, seek to use mass transit or a County vehicle, as may be applicable.

- 3) The employees of the Department of Social Services shall be excepted from the requirement of use of County vehicles and/or rental vehicles and may use personal vehicles with mileage reimbursement to be paid by the County, subject to the approval of the Commissioner of Social Services while continuing to use fleet vehicles as much as possible given the operation of that particular Department.
- 4) The County Treasurer & County Clerk, or their designee, shall be excepted from the requirement of use of County vehicles and may use personal vehicles when performing departmental banking functions.
- 6) The Peer-to-Peer Program Coordinator in the Veterans' Services Department shall be exempt from the requirement to use County vehicles and may use personal vehicles with mileage reimbursement to be paid by the County when performing functions for the Peer-to-Peer Program.

II. COUNTY MOTOR VEHICLE USE RULES

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

- A. Only authorized employees who hold a valid New York State driver's license shall drive County vehicles. Authorized employees shall be:

- 1) 18 years and older;
- 2) Any employee who regularly or at times operates a County vehicle as part of the employee's usual and/or customary County job function;
- 3) An employee who is authorized to operate the vehicle by:
 - a) The County Administrator; or
 - b) The County Department Head to whom the vehicle has been assigned;
- 4) Those who agree to provide their driver license number to the County for inclusion in the NYS Department of Motor Vehicle License Event Notification Service (*The LENS program provides the County with notifications of driver license infractions and suspensions*);
- 5) Those who agree to the fact that the County has a right to request information relating to a change in driver license status of all authorized users described above;
- 6) Those who have signed the acknowledgment (Schedule B) at the end of this Policy;
- 7) Those who maintain a valid NYS drivers license, excluding conditional or restricted licenses
 - a) Any suspension or revocation of ones driver's license will result in immediate loss of the employee's status as an authorized County driver. Status as an authorized driver will be automatically reinstated upon restoration of unconditional license;
- 8) Those who have been involved in an at fault incident(s) with a County vehicle where no convictions were issued *but* the incident(s) resulted in damage in excess of \$2,500 from a single incident or multiple incidents within a 12 month period will no longer be considered authorized drivers and must be reviewed by the Risk Management Steering Committee who will provide a recommendation to the Department Head. The Department Head will then determine the employee's status as an authorized driver of County vehicles or their own vehicle on County business. Employees may appeal a Department Heads determination to the Personnel & Higher Education Committee of the Board of Supervisors; and
- 9) Those with Commercial Motor Vehicle Licenses, if using the license in the scope of their duties, who have successfully passed a DOT physical exam and provided a current medical examination certificate to the County. The medical certification exam will be at the expense of the County at a medical provider contracted by the County for the purpose of DOT physical examinations. Conflicts of medical opinion will be resolved based on 49CFR 391.47.

RESOLUTION No. 351 OF 2022

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- B. Volunteers, clients, members of employees' families, etc. are not authorized to operate County owned vehicles, except volunteer County employees and ~~unpaid~~ interns who hold a valid New York State driver's license shall be authorized to operate County owned vehicles for:
- 1) Veteran's Services for such purposes as may be authorized by Executive Law Section 358 of Veteran's Affairs;
 - 2) for persons participating in Countryside Adult Home programs whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity; and
 - 3) unpaid interns working at the Department of Social Services.
- C. County vehicles shall be utilized for official purposes only.
- 1) Persons on official business for the County or being transported for purposes of furthering County business, an official departmental function or a County agency sponsored or operated program may ride in County vehicles. In addition, officials or employees from governmental entities other than Warren County, such as from the federal, state or local governments (e.g.; other counties, towns, cities, villages, school districts, etc.) or a non-profit organization provided such non-profit organization is engaged in activity involving or related to County activities including but not limited to promoting the County may ride in County vehicles when accompanying County officials to a meeting, event, destination, or similar place, and such will be considered using the vehicle for official purposes or in furtherance of County business, since it fosters communication, shared governmental services and supports intergovernmental relationships and furthers the interests of the County. Picking up hitchhikers is prohibited. Examples of circumstances where non-County personnel may ride in County vehicles include but are not limited to:
 - a) Health Services Department Staff taking students from contracted educational settings as passengers in County vehicles for clinical experience;
 - b) Veterans who ride in the Veterans' Services' van pursuant to program identified in subparagraph II(B) hereof;
 - c) Persons riding in Veterans' Services' vans pursuant to arrangements made with the Department of Social Services;
 - d) Residents of Countryside Adult Home transported by County vehicle for any event or purpose whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity for the general benefit of Countryside Adult Home residents;
 - e) Office for the Aging may transport advisory council members and/or senior citizens to meetings, conferences, etc. at the discretion of the Director;
 - f) District Attorney personnel transporting witnesses;
 - g) Department employees who wish to carpool with other County Officials not from Warren County when the purpose is furthering County business;
 - h) Youth being transported to various programs and seminars by the Department of Social Services;
 - i) Children or clients being transported in County vehicles by DSS staff; and
 - j) Officials or employees from governmental entities other than Warren County, such as from federal, state or local governmental entities or non-profit organizations engaged in activities involving or relating to County activities; and
 - k) Veterans employees may transport persons pursuant to the Peer to Peer Program.
 - l) Public Defender personnel transporting clients and witnesses.
 - 2) Unauthorized personnel may not be transported. Uses not specifically described but consistent with the intent of this policy may be allowed by the Chair of the Board of Supervisors whose determination of whether the use is consistent and/or allowed within this policy shall be final and binding.

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

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

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- 2) Checking that any tools, equipment or other items do not interfere with the driver's ability to operate the vehicle or pose threats in situations where the driver suddenly stops or swerves the vehicle or otherwise cause items in the vehicle to move around;
 - 3) Ensuring that the vehicle has current copy of the vehicle registration and the insurance card are in the vehicle and all required inspection stickers are up to date;
 - 4) Checking that both license plates are properly attached and visible at all times;
 - 5) Conducting daily visual inspection for obvious problems (flat tire, damage, leaks) before the start of the workday and during the workday when approaching the vehicle. An unsafe vehicle should not be operated until repairs are made;
 - 6) Any additional pre or post trip inspection as directed by the Department Head; and
 - 7) Reporting any concerns regarding the County vehicle by using the form (Schedule B) at the end of this Policy.
- O. Drivers of County vehicles must follow respective laws governing motor vehicle operations including those regarding the use of cellular telephones. Drivers must refrain from any activity that may impede the driver's ability to focus on safely operating the vehicle while it is in motion. Drivers are personally responsible for any traffic citations; including EZ-Pass violations that may be issued as a result of operating a vehicle for County business.
- P. Drivers of County vehicles or other vehicles for County business must be free of alcohol and illegal drugs. This also includes prescription and non-prescription drugs that may impair a driver's judgement and other faculties.
- Q. Drivers must report all accidents and incidents while using a County vehicle to his or her immediate Supervisor. The driver's immediate Supervisor must report the accident or incident according to the County's Safety and Health Program Policy.

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

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

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- 11) Employees with Commercial Motor Vehicle Licenses (CDL) must also comply with Warren County's Drug and Alcohol Policy.
- R. If you are the driver of a disabled County vehicle, you need to do the following:
- 1) Make sure that the vehicle is not impeding the flow of traffic and is not a safety hazard;
 - 2) Turn on the vehicles 4-way flashing hazard lights, if possible;
 - 3) Set-up the vehicles emergency safety triangles and safety cone, if available;
 - 4) Place a note that can be seen from the outside of the vehicle on the dash of the vehicle describing the vehicles problem and drivers contact telephone or cell number;
 - 5) Notify the local police department (911) of the vehicles location;
 - 6) Contact your direct supervisor; and
 - 7) Make arrangements to have the vehicle towed.
- S. No radar detection devices are to be used in any County owned, leased, borrowed or other vehicle used for County business. Drivers who are found to be using such devices may be subject to disciplinary action as determined by the Department Head or County Administrator and in accordance with bargaining agreements and Civil Service Law.
- T. All employees seeking to operate a County vehicle must have participated in a driver improvement program within the last 3 years. The driver improvement program can be the County's driver improvement training or other driver improvement training approved by New York State Department of Motor Vehicles or the County's Safety Officer. Incidents and accidents involving County vehicles or other vehicles used for County business may be reviewed by the County's Safety Officer and/or the Risk Management Steering Committee and a recommendation may be made in regards to additional driver improvement training.
- U. It will be the County Department Head's responsibility to review this policy with all employees prior to using a vehicle for County business and at any time when the policy is changed. The County Department Head will be responsible for obtaining the signed acknowledgment form that follows from the employees prior to using a vehicle for County business. The County Department Head will be responsible for determining each employee's eligibility under this policy as an authorized driver prior to vehicle use.
- V. County Department Heads or their designee shall notify (*using the proper form*) the Self-Insurance Department upon hire or termination of employees authorized to drive County vehicles or other vehicles for County business. The Self-Insurance Department will maintain the NYS DMV LENS database accordingly.
- W. The violation of any rule in the County Motor Vehicle Use Rules may result in disciplinary action in accordance with bargaining agreements and Civil Services Law.

SCHEDULE "A"

AUTHORIZATION TO ATTEND MEETING, CONVENTION, OR TRAINING
(Must be approved by Department Head, County Administrator & Committee Chair)

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

to attend _____
(Name of meeting or organization)

at _____ on _____
(Address) (Dates)

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

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

Proper documentation must be attached when submitting for approval.
(Please check documents attached)

[] Notice of meeting/convention/training, including cost. Total Cost \$ _____
(Including travel costs)

For Overnight Travel:

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

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

Date: _____ Department Head Signature

Date: _____ County Administrator Signature

Date: _____ Committee Chair Signature

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

Please utilize the B&G Car Reservation request portal to request a fleet vehicle.

- Filing Instructions:
1. Original with voucher to Auditor.
2. Copy to Purchasing with Purchase Order, if required.
3. Copy to Clerk of the Board if credit card will be used.
4. Copy of executed form needs to be included in next agenda for reporting to oversight Committee.

WARREN COUNTY
REPORT OF CONCERNS REGARDING COUNTY VEHICLES

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

Department: _____

Vehicle: Make: _____ Model: _____

County No. _____

Date Vehicle Used: _____

Detail of Concern(s): _____

Name: _____ Title: _____

Date: _____

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

This section to be completed by the Fleet Manager:

REVIEW OF CONCERNS AND ACTION TAKEN

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

Name: _____ Title: _____

Date: _____

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

- Copy to:
1. Department Head;
2. Vehicle Maintenance Shop.

Warren County Board of Supervisors

RESOLUTION NO. 352 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

AMENDING RESOLUTION NO. 31 OF 2022, APPOINTING MEMBERS TO THE WARREN-WASHINGTON COUNTIES INDUSTRIAL DEVELOPMENT AGENCY AND CIVIC DEVELOPMENT CORPORATION, TO FILL A VACANCY DUE TO RESIGNATION

WHEREAS, Resolution No. 31 of 2022, later amended by Resolution No. 112 of 2022, appointed members to the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation for the year 2022, and

WHEREAS, Washington County Representative, Michael Bittel, has since tendered his resignation from the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation, and

WHEREAS, the Chair of the Warren-Washington Counties Industrial Development Agency has requested that Juan Gonzalez be appointed to fill the vacancy created upon Mr. Bittel's resignation, and the Washington County Board of Supervisors has indicated that they intended to do the same, now, therefore, be it

RESOLVED, that Juan Gonzalez be, and hereby is, appointed to fill the vacancy created upon Mr. Bittel's resignation from the Warren-Washington Counties Industrial Development Agency and Civic Development Corporation, for the unexpired term commencing immediately and terminating December 31, 2022, contingent upon the adoption of a similar resolution by the Washington County Board of Supervisors, and be it further

RESOLVED, that other than the changes noted herein, all other portions of Resolution No. 31 of 2022, as amended by Resolution No. 112 of 2022, shall remain in full force and effect.

Warren County Board of Supervisors

RESOLUTION NO. 353 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

ENACTING LOCAL LAW NO. 2 OF 2022, ENTITLED “A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2021, ‘A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 5 OF 2021, A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2014, WARREN COUNTY ETHICS AND DISCLOSURE LAW’”

WHEREAS, a proposed local law was duly presented to the Board of Supervisors and considered by them, said proposed local law entitled, “A Local Law Amending and Updating Local Law No. 6 of 2021, *‘A Local Law Amending and Updating Local Law No. 5 of 2021, A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law,’*” and

WHEREAS, the Board of Supervisors adopted Resolution No. 317 of 2022, which authorized a public hearing to be held by the Board of Supervisors on the 15th day of July, 2022, in the Supervisors’ Rooms in the Warren County Municipal Center on the matter of the proposed local law, and notice of such public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at such public hearing desiring to be heard, having been heard, now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Warren, New York, on this 15th day of July, 2022, does hereby enact and adopt Local Law No. 2 of 2022, as annexed hereto.

COUNTY OF WARREN
LOCAL LAW NO. 2 OF 2022

“A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2021, ‘A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 5 OF 2021, ‘A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2014, WARREN COUNTY ETHICS AND DISCLOSURE LAW””

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

SECTION 1. Title. This Local Law shall be entitled “A Local Law Amending and Updating Local Law No. 5 of 2021, ‘A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law.”

SECTION 2. Purpose. To update the Financial Disclosure Form included as “Appendix B” in the Warren County Ethics and Disclosure Law intended to ensure that officers and employees of Warren County hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Board of Supervisors recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

SECTION 3. Definitions.

- (a) “Board” means Warren County Board of Supervisors.
- (b) “Code” means this Code of Ethics.
- (c) “Interest” means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly, collectively directly or indirectly owns or controls more than fifty percent (50%) of the organization.
- (d) “Municipality” means a county, city, town, village, school district, consolidated health district, county vocational education and extension board, public library, board of cooperative educational services, urban renewal agency, a joint water works system established pursuant to chapter six hundred fifty-four of the laws of nineteen hundred twenty-seven, or a town or county improvement district, district corporation, or other district or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of such governmental units or to benefit the real property within such units, an industrial development agency but shall have no application to a city having a population of one million or more or to a county, school district, or other public agency or facility therein.
- (e) “Municipal officer or employee” means an officer or employee of a municipality, whether paid or unpaid, including members of any administrative board, commission or other agency thereof and in the case of a county, shall be deemed to also include any officer or employee paid from county funds. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer, except a fire chief or assistant fire chief.

- (e) “Relative” means a spouse, child or step-child, or dependent.
- (f) “Spouse” means a husband or wife of the municipal officer or employee unless living separate and apart in contemplation of divorce or formal separation.

SECTION 4. Applicability. This code of ethics applies to the officers and employees of Warren County, and shall replace and supersede all Warren County Code of Ethics, dated 2014 and 2021. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, Article 18 of the General Municipal Law and all rules, regulations, policies and procedures of Warren County.

SECTION 5. Prohibition on use of municipal position for personal or private gain. No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

SECTION 6. Disclosure of interest in legislation and other matters.

- (a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the County officer or employee shall refrain from the exercise of discretion in the matter.
- (b) The County officer or employee shall also disclose in writing the nature of the interest. The disclosure shall be made when the matter requiring disclosure first comes before the County officer or employee, or when the County officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- (c) In the case of a person serving in an elective office, the disclosure shall be filed with the County Attorney and shall be provided to the Board of Ethics for a proactive review and consultation should a conflict exist within sixty (60) days of the notice being filed. In all other cases, the disclosure shall be filed with the person’s supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the County officer, employee or board having the power to appoint to the person’s position.

SECTION 7. Annual Disclosure.

- 1) Officers and employees required to file. The officers and employees of Warren County as set forth below and more particularly but not necessarily exhaustively set forth on a representative list of such officers and employees annexed and incorporated herein as Appendix “A”, shall be required to sign and file an annual disclosure statement. The form annual disclosure statement is annexed hereto and incorporated herein as Appendix “B”. The Board of Ethics as established under Section 18 hereof shall enforce such filing requirements, and shall have the authority to review the annual disclosure statements and shall do so within sixty (60) days of the filing due date and as needed to determine questions that may arise under this law. All officers and employees shall comply with General Municipal Law Article 18 and any amendments or revisions relative to the filing of financial statements.
 - (a) Elected officials; and
 - (b) The heads of any agency, department, division, council, board, commission, authority or bureau of Warren County and their deputies and other persons authorized to act on their

- behalf who make policy decisions; and
- (c) Officers and employees who hold policymaking positions, including members of boards, commissions and public authorities of Warren County. A person shall be considered to hold a policymaking position if he or she meets the following criteria, based either on the powers and duties of the position held by the person as set forth in the job description or any applicable law or regulation, or based on the actual duties performed by the person:
 - (1) he or she has been determined to be managerial pursuant to Civil Service Law §201(7) because he or she formulates policy; or
 - (2) he or she is in the non-competitive class under §2.2 of the rules and regulations of the New York State Department of Civil Service, provided that the person holds a position that is designated in any applicable rules and regulations promulgated by the county civil service commission or County Personnel Officer pursuant to Civil Service Law §20, on the basis that the position requires the performance of functions influencing policy; or
 - (3) he or she exercises responsibilities of a broad scope in the formulation of plans for the implementation of goals or policy for a county agency or acts as an advisor to an individual in such a position, and
 - (d) Officers and employees having discretionary authority with respect to:
 - (1) Contracts, leases, franchises, concessions, permits, or licenses; or
 - (2) The purchase, sale, rental, or lease of real property, personal property, or services, or a contract therefore; or
 - (3) The obtaining of grants of money or loans; or
 - (4) Inspections; or
 - (5) The adoption or repeal of any rule or regulation having the force and effect of law, and
- 2) Time and place for filing. The annual disclosure statements shall be filed with the office of the County Attorney no later than the 31st of January each year. This filing may be completed electronically or hard copy as a fillable form, with a copy of certification of completion of the Warren County electronic ethics training. A complete list of filings shall be provided to the Board of Ethics members by February 14th of each year. Late or missing submissions shall be followed up on by the Board of Ethics with the assistance of the County Attorney's Office. After ninety (90) days, notification of any outstanding filings shall be sent to the County Administrator and members of the Board of Supervisors. Disclosure statements must be updated during the year as circumstances warrant.

SECTION 8. Recusal and abstention.

- (a) No County officer or employee may directly or indirectly participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.
- (b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:
 - (1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or
 - (2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully

delegate the function.

- (3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

SECTION 9. Prohibition inapplicable; disclosure, recusal and abstention not required.

- (a) This code's prohibition on use of a municipal position (section 5), disclosure requirements (sections 6 and 7), and requirements relating to recusal and abstention (section 8), shall not apply with respect to the following matters:
 - (1) adoption of Warren County's annual budget;
 - (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - (i) all municipal officers or employees;
 - (ii) all residents or taxpayers of the municipality or an area of the municipality; or
 - (iii) the general public;
 - (3) any matter that does not require the exercise of discretion.
- (b) Recusal and abstention shall not be required with respect to any matter:
 - (1) which comes before the Warren County Board of Supervisors or standing Committee or Special Committee thereof when a majority of the board's or committee's total membership would otherwise be prohibited from acting by section 8 of this code;
 - (2) which comes before a municipal officer when the officer would be prohibited from acting by section 8 of this code and the matter cannot be lawfully delegated to another person.

SECTION 10. Investments in conflict with official duties.

- (a) No Warren County officer or employee may acquire the following investments:
 - (1) investments that can be reasonably expected to require more than sporadic (i.e. three to four (3-4) times per year) recusal and abstention under section 8 of this code; or
 - (2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.
- (b) This section does not prohibit a Warren County officer or employee from acquiring any other investments or the following assets:
 - (1) real property located within Warren County and used as his or her personal residence;
 - (2) less than five percent (5%) of the stock of a publicly traded corporation; or
 - (3) bonds or notes issued by a municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

SECTION 11. Private employment in conflict with official duties.

- (a) No Warren County officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, and including serving as a Board member, consultant, contractor or passive investor of an entity that engages in any business or maintains any relationship with Warren County, provides to or oversees from the County any client referrals or competes with the County when the employment or activity:
 - (1) can be reasonably expected to require more than sporadic recusal and abstention pursuant to sections 8 and 10 of this code;
 - (2) can be reasonably expected to require disclosure or use of confidential information gained

- by reason of serving as a municipal officer or employee;
 - (3) violates section 805-a(1)(c) or (d) of the General Municipal Law; or
 - (4) requires representation of a person or organization other than Warren County in connection with litigation, negotiations or any other matter to which Warren County is a party.
- (b) Outside Interest Form. If any Warren County officer or employee or immediate family member is currently or plans to be in the future an employee, Board member, consultant, owner, contractor or even a passive investor of an entity that engages in any business or maintains any relationship with Warren County; provides to or receives from Warren County any client referrals or competes with Warren County, they must fill out an Outside Interest Form in the office of the Warren County Attorney, and a copy of the completed Form must be provided to the Board of Ethics. Annexed hereto and made a part hereof as Appendix "C" is a sample copy of the Outside Interest Form.

SECTION 12. Future employment.

- (a) No Warren County officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the Warren County officer or employee, either individually or as a member of a board, while the matter is pending or within the thirty (30) days following final disposition of the matter.
- (b) No Warren County officer or employee, for the two-year period after serving as a Warren County officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the Warren County office, board, department or comparable organizational unit for which he or she serves.
- (c) No Warren County officer or employee, at any time after serving as a Warren County officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a Warren County officer or employee.

SECTION 13. Personal representations and claims permitted. This Code shall not be construed as prohibiting a Warren County officer or employee from:

- (a) representing himself or herself, or his or her spouse or minor children before Warren County; or
- (b) asserting a claim against Warren County on his or her own behalf, or on behalf of his or her spouse or minor children.

SECTION 14. Use of Warren County resources.

- (a) Warren County resources shall be used for lawful Warren County purposes. Warren County resources include, but are not limited to, municipal personnel, and Warren County's money, vehicles, equipment, materials, supplies or other property.
- (b) No Warren County officer or employee may use or permit the use of Warren County resources for personal or private purposes, but this provision shall not be construed as prohibiting:
 - (1) any use of Warren County resources authorized by law or municipal policy;
 - (2) the use of Warren County resources for personal or private purposes when provided to a Warren County officer or employee as part of his or her compensation; or
 - (3) the occasional and incidental use during the business day of Warren County telephones and computers for necessary personal matters such as family care and changes in work schedule.
- (c) No Warren County officer or employee shall cause Warren County to spend more than is

reasonably necessary for transportation, meals or lodging in connection with official travel.

- (d) All Warren County officers and employees shall take a computerized ethics training course. This training provides guidance regarding your outside activities while under County employment. A certification of this training shall be filed with your supervisor annually no later than January 31st or within ten (10) days of employment with Warren County.

SECTION 15. Interests in Contracts.

- (a) No Warren County officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.
- (b) Every Warren County officer and employee shall disclose interests in contracts with Warren County at the time and in the manner required by section 803 of the General Municipal Law.

SECTION 16. Nepotism. Except as otherwise required by law:

- (a) No Warren County officer or employee shall induce others to hire a relative of the officer or employee.
- (b) No Warren County officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within Warren County or a Warren County board, except:
 - (1) A Department Head may undertake to appoint, hire, promote, discipline or discharge a relative if no other County officer or employee can undertake the action, and the action is undertaken in accordance with the Civil Service Law and Rules promulgated thereunder for competitive positions; or
 - (2) In all other cases, a Department Head may undertake to appoint, hire, promote, discipline or discharge a relative if no other County officer or employee can undertake the action, and the Department Head obtains approval from the Board of Supervisors, which may seek a written advisory opinion from the Board of Ethics, before undertaking the action.
- (c) No Warren County officer or employee may immediately or directly manage and/or supervise a relative in the performance of a relative's official powers or duties. If a Warren County officer or employee would be responsible for the management or supervision of a relative, an alternative supervisory arrangement must be made to manage and supervise the relative; the management and supervision must be undertaken pursuant to Civil Service Law and Rules, if applicable, and any decision to appoint, hire, promote, discipline or discharge must be in accordance with subdivision (b) above.
- (d) Any Warren County officer or employee, or prospective officer or employee, may request a written advisory opinion from the Board of Ethics regarding the implementation of this Section.

SECTION 17. Political Solicitations.

- (a) No Warren County officer or employee shall directly or indirectly to compel or induce a subordinate Warren County officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
- (b) No Warren County officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any Warren County officer or employee, or an applicant for a position as a Warren County officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

SECTION 18. Confidential Information. No Warren County officer or employee who requires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

SECTION 19. Gifts.

- (a) No Warren County officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.
- (b) No Warren County officer or employee may directly or indirectly solicit any gift.
- (c) No Warren County officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars (\$75) or more when:
 - (1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;
 - (2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - (3) the gift is intended as a reward for any official action on the part of the officer or employee.
- (d) For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars (\$75) must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.
- (e)
 - (1) A gift to a Warren County officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks Warren County action involving the exercise of discretion by or with the participation of the officer or employee.
 - (2) A gift to a Warren County officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained Warren County action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.
- (f) This section does not prohibit any other gift, including:
 - (1) gifts made to Warren County;
 - (2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a Warren County officer or employee, is the primary motivating factor for the gift;
 - (3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
 - (4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;
 - (5) awards and plaques having a value of seventy-five dollars (\$75) or less which are publicly presented in recognition of service as a Warren County officer or employee, or other service to the community; or
 - (6) meals and refreshments provided when a Warren County officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals

and refreshments are made available to all participants.

SECTION 20. Board of Ethics.

- (a) There is hereby established a Board of Ethics for Warren County. The Board of Ethics shall consist of five (5) members, a majority of whom shall not be officers or employees of Warren County or a Municipality wholly or partially located in Warren County. One of the five members shall be an appointed officer or employee of Warren County or a municipality located in Warren County and the remaining four members shall be members of the public who are not elected or appointed officers or employees of Warren County or a Municipality located in Warren County. The members of the 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 member 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 shall receive no salary or compensation for their services as members of the Board of Ethics. The Board of Ethics shall be a “public body” as defined by Public Officers Law § 102(2) and comply with the requirements of the Open Meetings Law Article 7, Public Officers Law.
- (b) A member of the Board of Ethics shall not be an official, officer or committee person of a political party or hold any similar office or title in a political party.
- (c) The Board of Ethics shall render advisory opinions with respect to article 18 of the General Municipal Law and this code. Such advisory opinions must be rendered pursuant to a written request under such rules and regulations as the Board of Ethics may prescribe. In addition, the Board of Ethics may make recommendations with respect to the drafting and adoption of a Code of Ethics, or amendments to the Code of Ethics, upon the request of the Board of Supervisors. The Board of Ethics may accept from the general public or any of its own members a complaint or allegation of conflict of interest or violation of this Code of any officer or employee of Warren County. The Board of Ethics may initiate an investigation upon its own motion or upon receipt of a sworn complaint alleging a violation, and shall have the advice of legal counsel employed by the Board of Ethics, or if none, the municipality’s legal counsel.
- (d) The board of ethics may establish such rules and policies that may be necessary for the proper discharge of its duties and may utilize the services of the office of the Warren County Attorney.
- (e) This Ethics and Disclosure Policy shall be reviewed and updated as needed with the new term of each Board, at a minimum of every two years. As such, the members of the Board of Ethics shall serve for the same duration and coincide with the term of the members of the Board of Supervisors. The contact information for the members of the Board of Ethics shall be maintained in the County Attorney’s Office.
- (f) Members of the Board of Ethics shall meet at a minimum of twice a year to review disclosure and certifications of training and as needed. Documentation of the meeting date and time shall be provided to the County Attorney and the Board of Supervisors.
- (g) Members of the Board of Ethics shall be appointed for the remainder of the current term within sixty (60) days of the effective date of this Local Law, and they shall comply with the Local Law immediately upon appointment.

SECTION 21. Posting and distribution.

- (a) The Warren County Administrator or his or her designee must promptly cause a copy of this

Local Law, and a copy of any amendment to this Local Law, to be posted publicly and conspicuously in each building under Warren County's control. The code must be posted within ten (10) days following the date on which the Local Law takes effect. An amendment to the Local Law must be posted within ten (10) days following the date on which the amendment takes effect.

- (b) The Warren County Administrator or his or her designee must promptly cause a copy of this Local Law, including any amendments to the Local Law, to be distributed, electronically or in hard copy, to every person who is or becomes an officer and employee of Warren County, who must acknowledge receipt to their supervisor within ten (10) days. In addition, the outside interest form (Appendix C) must be returned, if applicable, to the County Attorney's Office.
- (c) A copy of this Local Law shall be provided to all new officers and employees within ten (10) days of employment or assuming office, as the case may be.
- (d) Every Warren County officer or employee who receives a copy of this Local Law or an amendment to the Local Law must acknowledge such receipt in writing. Such acknowledgments must be filed with the Clerk of the Warren County Board of Supervisors who must maintain such acknowledgments as a public record.
- (e) The failure to post this Local Law or an amendment to the Local Law does not affect either the applicability or enforceability of the Local Law or the amendment. The failure of a Warren County officer or employee to receive a copy of this Local Law of ethics or an amendment to the Local Law, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the Local Law or amendment to the Local Law.

SECTION 22. Enforcement. Any Warren County officer or employee who violates this Local Law may be censured, fined, suspended or removed from office or employment in the manner provided by law. Any County officer or employee who is being disciplined for violation of this Local Law must be referred by the officer's or employee's supervisor to the Board of Ethics for an opinion that will be added to the person's personnel file.

SECTION 23. Severability. In the event that any provision of this Local Law shall be determined by a Court of Law to be illegal and/or unenforceable, the Local Law, to the extent the Courts have determined practical shall continue in full force and effect as if the said illegal or unenforceable provision were not contained a part thereof.

SECTION 24. Effective date. This Local Law shall take effect immediately upon filing with the Secretary of State.

APPENDIX “A”

The following Warren County officers and employees shall file a financial disclosure statement as provided by the Warren County Code of Ethics:

Supervisor, Warren County Board of Supervisors
Clerk of the Warren County Board of Supervisors
Deputy Clerk of the Warren County Board of Supervisors
District Attorney
Assistant District Attorney
Public Defender
Assistant Public Defender
Warren County Administrator
Assistant to the Warren County Administrator
County Auditor
County Treasurer
Deputy County Treasurer
Budget Officer
Purchasing Agent
Deputy Purchasing Agent
Director of Real Property Tax Services
Deputy Director of Real Property Tax Services
County Clerk
Deputy County Clerk
County Attorney
Assistant County Attorney
Director, County Human Resources
Personnel Officer
Commissioners of Elections
Deputy Commissioners of Elections
Superintendent of Public Works
Deputy Superintendent Public Works
Deputy Superintendent Public Works/Operations
Airport Manager
Director of Probation
Sheriff
Undersheriff
Lieutenant, Sheriff’s Office
Director of Public Health/Patient Services, Health Services
Assistant Director Public Health
Assistant Director Patient Services
Director, Community Mental Health Services
Assistant Director of Mental Health
Commissioner of Social Services
Deputy Commissioner of Social Services

Appendix "A" con't

Social Services Attorney
Assistant Social Services Attorney
Director Countryside Adult Home
Director of Employment and Training
Director of Tourism
Director of Weights & Measures
Director, Office for the Aging
County Historian
Warren County Planner
Associate Warren County Planner
Administrator, Fire Prevention and Building Code Enforcement
Administrator, Self-Insurance
Deputy Insurance Administrator
Director, Veterans' Services Agency
Director of Information Technology
Director, Office of Emergency Services
Fire Coordinator
Executive Director Lake Champlain/Lake George Regional Planning Board
Warren County Coroner
Warren County Medical Examiner
Director, Soil and Water Conservation District
Members of the Board of Ethics

APPENDIX "B"

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
COUNTY OF WARREN FORM F-100
FOR 20_____

1. Name and Address

Last Name Middle Initial First Name

Title

Department or Agency

County Address

County Telephone

2. Does any relative currently work for Warren County? If so, please provide the name(s) of the relative, the name of the County department, the relative's title and the date of hire.

3. Financial Interests.

a. Business Positions. List any office, trusteeship, directorship, partnership, or other position in any business, association, proprietary, or not-for-profit organization held by you, and your relative, if any, for businesses that are involved with the County or any municipality within Warren County.

Name	Position	Organization	Local Agency & Nature of Involvement
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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- b. Outside Employment. Describe any outside occupation, employment, trade, business, or profession providing more than \$1,000 per year for you, your spouse, and your relative if the outside employment is involved with the County or any municipality within Warren County.

Name	Position	Organization (Name / Address)	Local Agency & Nature of Involvement
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- c. Future Employment. Describe any contract, promise or other agreement between you and anyone else with respect to your employment after leaving your County office or position, if such agreement is with a person or business involved with the County or any municipality within Warren County.

- d. Investments. Itemize and describe all investments in excess of \$5,000 or five percent (5%) of the value in any business, corporation, partnership, or other assets, including stocks, bonds, loans, pledged collateral, and other investments, for you, or your relative, if such investment is with a business or other entity involved with the County or any municipality within Warren County. List the location of all real estate within the county, or within five (5) miles thereof, in which you or your relative, if any, have an interest, regardless of its value.

Name	Name / Address of Business or Real Estate	Description of Investment
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- e. Other Income. Identify the source and nature of any other income in excess of \$1,000/year from any source not described above, for you and your relative, if any, provided that such income is from a source that is involved with the County or any municipality within Warren County.

Name	Name / Address of Income Source	Nature of Income
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Interest in Contracts

Describe any interest that you or your relative have in any contract involving the County or municipality within Warren County.

Name	Contract Description
_____	_____
_____	_____
_____	_____
_____	_____

5. Debts.

Describe all debts you or your relative owe to the County or any municipality within Warren County in excess of \$5,000 (eg. outstanding occupancy tax payments or tax liens) as of the date of filing of this statement.

Name of Debtor	Name of Creditor
_____	_____
_____	_____
_____	_____
_____	_____

6. Third-Party Reimbursements.

Identify and describe the source of any third-party reimbursement for travel-related expenditures of any matter that relates to your official duties. The term “reimbursement” includes any travel-related expenses provided by anyone other than the County for speaking engagements, conferences, or fact-finding events that relate to your official duties.

Source	Description and Amount
_____	_____
_____	_____
_____	_____
_____	_____

7. Gifts and Honorariums.

Has anyone attempted to influence you by giving you gifts aggregating in excess of \$75, received during the last year by you or your relative, excluding gifts from a relative? The term “gifts” includes gifts of cash, property, personal items, payments to third parties on your behalf, forgiveness of debt, honorariums, and any other payments that are not reportable as income.

If yes, indicate:

Source	Description of Gift
_____	_____
_____	_____
_____	_____
_____	_____

The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference or unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

Signature of Reporting Individual Date

The filer shall provide the Board of Ethics with additional information if requested to do so by the Board of Ethics.

The reporting requirement of this statement is required by New York State Law and the law of Warren County. Improper use of any of the information contained in this statement by any third person or entity in

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violation of privacy or other rights, or to harass or annoy the filer of this statement is separately punishable under the law.

This statement is subject to public disclosure under the New York State Freedom of Information Law (FOIL), but any information in this statement that is deemed exempt from disclosure by New York State law or the laws of Warren County shall be redacted. A FOIL request for information contained in this document will be denied if the information will be used to harass or annoy the filer.

APPENDIX "C"

WARREN COUNTY

Outside Interest Form

This form is to be filled out if you or any relative is currently or plans to be in the future, an employee, board member, consultant, owner, contractor or even a passive investor of an entity that: (I) engages in any business or maintains any relationship with The County (The County); (ii) provides to, or receives from The County any client referrals, or (iii) competes with The County. The completed form must be submitted to the County Attorney.

Name: _____

Job Title: _____

If not an employee, describe the nature of your relationship with The County:

Describe the nature of your outside activities in any entity that engages in any business or maintains any relationship with The County.

Describe the nature of your outside activities in any entity that provides to, or receives from, The County any client referrals.

Describe the nature of your outside activities in any entity that competes with The County.

Date completed and signature

Signature

Date

Date reviewed by Compliance Officer and signature

Signature

Date

Warren County Board of Supervisors

RESOLUTION NO. 354 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH MARSHALL & STERLING EMPLOYEE BENEFITS, INC. FOR HEALTH INSURANCE BROKER SERVICES (WC 32-22)

WHEREAS, the Purchasing Agent requested bids for Health Insurance Broker Services (WC 32-22),
and

WHEREAS, the bids were opened on May 5, 2022 and the Health Insurance Working Group has recommended that Warren County award the agreement to Marshall & Sterling Employee Benefits, Inc. located at 42 South Street, Glens Falls, New York 12801, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Marshall & Sterling Employee Benefits, Inc. located at 42 South Street, Glens Falls, New York 12801 of the acceptance of its proposal, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with Marshall & Sterling Employee Benefits, Inc., for Health Insurance Broker Services, pursuant to the terms and provisions of the bid documents and proposal (WC 32-22), for a term commencing September 22, 2022 and terminating September 21, 2025, with the option to renew the agreement upon the same terms and conditions for one (1) additional three (3) year term, upon mutual agreement of the parties, in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 355 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE AIRPORT BUDGET; AMENDING 2022 WARREN COUNTY BUDGET; AND AUTHORIZING PAYMENT TO FOREST ENTERPRISES MANAGEMENT, INC.

WHEREAS, on June 2, 2022, the Warren County Supreme Court partially granted the request for additional allowances in the case of Forest Enterprises Management, Inc. v. County of Warren, and

WHEREAS, the amount of additional allowances to be awarded to Forest Enterprises Management, Inc. is One Hundred Seventy-Nine Thousand Three Hundred Eighty-Eight Dollars and Thirty Cents (\$179,388.30), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in the amount of One Hundred Seventy-Nine Thousand Three Hundred Eighty-Eight Dollars and Thirty Cents (\$179,388.30) from the General Fund Unappropriated Surplus to the following budget code:

CODE	DEPARTMENT	AMOUNT
A.5610 419	Airport (DPW), Settlements	\$179,388.30

and be it further

RESOLVED, that the Warren County Budget for 2022 be, and hereby is, amended accordingly, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Warren County Treasurer to pay Forest Enterprises Management, Inc. an amount not to exceed One Hundred Seventy-Nine Thousand Three Hundred Eighty-Eight Dollars and Thirty Cents (\$179,388.30).

Warren County Board of Supervisors

RESOLUTION NO. 356 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AUTHORIZING COUNTY TREASURER TO CLOSE RESERVE FUNDS

RESOLVED, that the Warren County Treasurer be, and hereby is, authorized and directed to close the following Reserve Funds and transfer remaining funds:

RESERVE	TITLE	ESTIMATED FUNDS	TRANSFER REMAINING FUNDS TO
A.870.00	Equipment, Storage & Vehicles	\$7,566.35	A.871.00 Reserve, Rehab County Buildings
A.872.00	Bridge Replacement & Repair	\$1,483.93	A.871.00 Reserve, Rehab County Buildings

Warren County Board of Supervisors

RESOLUTION NO. 357 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

EXTENDING AGREEMENT WITH NATIONAL BUSINESS EQUIPMENT & SUPPLY, LLC FOR PRINT/COPY/FAX/SCAN OUTPUT ASSESSMENT, CONSOLIDATION OF OFFICE EQUIPMENT AND CONTRACT FOR MULTI-FUNCTION COPIERS ON A COST PER COPY BASIS (WC 49-11)

WHEREAS, pursuant to Resolution No. 324 of 2012, the Warren County Board of Supervisors authorized an agreement with National Business Equipment & Supply, LLC for print/copy/fax/scan output assessment, consolidation of office equipment and contract for multi-function copiers on a cost per copy basis (WC 49-11), and

WHEREAS, said agreement was amended by Resolution Nos. 712 of 2013, 497 of 2015 and 217 of 2017, and

WHEREAS, the Purchasing Agent and the County Administrator have recommended that the agreement with National Business Equipment & Supply, LLC as outlined above be extended for an additional five (5) months, 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 National Business Equipment & Supply, LLC, 15 Corporate Circle, Albany, New York 12203 for Print/Copy/Fax/Scan Output Equipment and Contract for Multi-Function Copiers on a Cost per Copy Basis (WC 49-11), for a term commencing August 1, 2022 and terminating December 31, 2022, unless terminated prior upon 30 days written notice, for an amount not to exceed Three Thousand Two Hundred Thirty-Three Dollars and Ten Cents (\$3,233.10) per month for lease of equipment and an amount not to exceed Two Thousand Four Hundred Sixty-Nine Dollars and Eighty-Three Cents (\$2,469.83) per month for service/parts/supplies, in form approved by the County Attorney, and be it further

RESOLVED, that the funds for said agreement will be expended from Budget Code A.1671 421 Print Shop, Equipment Rental.

Warren County Board of Supervisors

RESOLUTION NO. 358 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH NATIONAL BUSINESS EQUIPMENT & SUPPLY, LLC FOR LEASE OF PRINTERS AND MULTI-FUNCTION COPIERS ON A COST PER COPY BASIS (WC 36-22)

WHEREAS, the Purchasing Agent requested bids for lease of printers and multi-function copiers on a cost per copy basis (WC 36-22), and

WHEREAS, the bids were opened on May 26, 2022 and the County Administrator has recommended that Warren County award the agreement to National Business Equipment & Supply, LLC located at 15 Corporate Circle, Albany, New York 12203, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify National Business Equipment & Supply, LLC located at 15 Corporate Circle, Albany, New York 12203 of the acceptance of its proposal, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with National Business Equipment & Supply, LLC relative to lease of printers and multi-function copiers on a cost per copy basis, pursuant to the terms and provisions of the bid documents and proposal (WC 36-22), for a term commencing upon installation of equipment and terminating five (5) years from date of execution, with the option for one (1) additional five (5) year term, upon mutual agreement of the parties, for an amount specified in the accepted proposal (attached), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1671 421, Print Shop, Equipment Rental.

Warren County Board of Supervisors

RESOLUTION NO. 359 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE COUNTY ATTORNEY'S BUDGET TO COVER THE COST OF THE COUNTY'S INSURANCE DEDUCTIBLE IN THE MATTER OF QUESTOR FRENCH V. DEREK WILLIAMS; AMENDING 2022 WARREN COUNTY BUDGET

RESOLVED, that the Warren County Board of Supervisors hereby appropriates funds in the amount of Fifty Thousand Dollars (\$50,000) from the General Fund Unappropriated Surplus to the following Budget Code to cover the County's insurance deductible in the matter of Questor French v. Derek Williams:

CODE	DEPARTMENT	AMOUNT
A.1420 419	County Attorney, Settlements	\$50,000.00

and be it further

RESOLVED, that the Warren County Budget for 2022 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 360 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AUTHORIZING THE COUNTY TREASURER TO RECORD PREMIUM RECEIVED ON ISSUANCE OF 2022 \$7.9 MILLION BOND ANTICIPATION NOTES (BAN) INTO RESERVE FOR DEBT

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Warren County Treasurer to record the amount of Forty-Eight Thousand Three Hundred Forty-Eight Dollars (\$48,348) premium received on issuance of 2022 \$7.9 million BAN to the following reserve for debt codes to be used for subsequent debt service:

CODE	DEPARTMENT	AMOUNT
A.884.00	General Fund, Reserve for Debt	\$6,120
D.884.00	County Road, Reserve for Debt	\$42,228

Warren County Board of Supervisors

RESOLUTION NO. 361 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE PUBLIC WORKS BUDGET TO COVER THE INCREASING COST OF FUEL; AND AMENDING 2022 WARREN COUNTY BUDGET

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds to cover the increasing cost of fuel, in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) from the General Fund Unappropriated Surplus to the following budget code:

CODE	DEPARTMENT	AMOUNT
A.9901.0182 910	Transfers, Transfer-Road Machinery, Interfund Transfers	\$200,000.00

and be it further

RESOLVED, that the Warren County Budget for 2022 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 362 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE
COMPUTER RESERVE FUND TO VARIOUS DEPARTMENTAL BUDGETS;
AMENDING 2022 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds in an amount not to exceed Sixteen Thousand Dollars (\$16,000.00) from the Computer Reserve Fund Budget Code A.895.00 to the following Departmental budgets:

PROJECT	TITLE	AMOUNT
A.1435 220.1	Human Resources, Office Equipment-Reserve	\$1,000.00
A.3110 220.1	Sheriff's Law Enforcement, Office Equipment-Reserve	\$15,000.00

and be it further,

RESOLVED, that the Warren County Budget for 2022 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 363 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE OCCUPANCY TAX RESERVE TO THE TOURISM AND PLANNING & COMMUNITY DEVELOPMENT BUDGETS; AMENDING 2022 WARREN COUNTY BUDGET

RESOLVED, that the Warren County Board of Supervisors hereby sets aside the rules previously established by the Board concerning the use of occupancy tax funds, and appropriates funds in an amount not to exceed Forty-Three Thousand Four Hundred Dollars (\$43,400) from the Occupancy Tax Reserve (A.881.00) to the following budget codes to cover awards to Warrensburg Bike Rally, Adirondack Christkindlmarkt and Cliff & Redfield Interactive:

CODE	DEPARTMENT	AMOUNT
A.6417.0002 480	Tourism/Occupancy, Occupancy Tax, Tourism-Special Events	\$35,000.00
A.8021 470	Planning (and Comm. Dev.), Contract	\$8,400.00

and be it further

RESOLVED, that the Warren County Budget for 2022 be, and hereby is, amended accordingly.

Warren County Board of Supervisors

RESOLUTION NO. 364 OF 2022

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON,
DIAMOND AND DRISCOLL**

AUTHORIZING COUNTY TREASURER TO CLOSE CAPITAL PROJECT

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

<u>CAPITAL PROJECT</u>	<u>ESTIMATED FUNDS</u>	<u>FUNDING SOURCE</u>
H340 - First Wilderness 2012	\$71,708.60	A.9950 910

Warren County Board of Supervisors

RESOLUTION NO. 365 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT AND STROUGH

WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE DISTRIBUTED TO THE BOARD NO LATER THAN THE TUESDAY BEFORE THE BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION ADOPTING AND APPROVING ADIRONDACK COMMUNITY COLLEGE OPERATING BUDGET FOR FISCAL YEAR 2022 - 2023

WHEREAS, by Resolution No. 68 of 2022, the Board of Supervisors adopted the Rules of the Board, Section B(3) of which indicates that *“The Clerk shall distribute all resolutions to the members of the Board of Supervisors and post same to the Warren County website on each Tuesday prior to a Regular Meeting...”*, and

WHEREAS, the Board has agreed to consider a resolution adopting and approving Adirondack Community College operating budget for fiscal year 2022-2023, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the aforementioned requirement in order to entertain the aforescribed resolution.

Warren County Board of Supervisors

RESOLUTION NO. 366 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, THOMAS, BRUNO, MERLINO, RUNYON, DIAMOND AND DRISCOLL

ADOPTING AND APPROVING ADIRONDACK COMMUNITY COLLEGE OPERATING BUDGET FOR FISCAL YEAR 2022 - 2023

WHEREAS, the Vice President for Administrative Services of Adirondack Community College has presented to the Board of Supervisors a tentative operating budget for the college fiscal year from September 1, 2022 to August 31, 2023, which was approved by Resolution No. 304 of 2022, and

WHEREAS, a public hearing was held on said tentative budget on the 15th day of July 2022, now therefore be it

RESOLVED, that the tentative operating budget in the gross amount of Thirty-Three Million One Hundred Sixty Thousand Three Dollars (\$33,160,003), be and hereby is, adopted and approved as the budget for Adirondack Community College for fiscal year September 1, 2022 to August 31, 2023, and be it further

RESOLVED, that the sum of Two Million One Hundred Seventy-Three Thousand Seventy-Five Dollars (\$2,173,075) is required as that portion to be raised by taxation as part of the County budget for the year commencing January 1, 2023 as Warren County's share of the operational costs as one of the sponsors of Adirondack Community College.

Warren County Board of Supervisors

RESOLUTION NO. 367 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS MERLINO AND THOMAS

WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE DISTRIBUTED TO THE BOARD NO LATER THAN THE TUESDAY BEFORE THE BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION AUTHORIZING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. (CSEA), TO INCLUDE A NEGOTIATED INTERIM WAGE INCREASE

WHEREAS, by Resolution No. 68 of 2022, the Board of Supervisors adopted the Rules of the Board, Section B(3) of which indicates that *“The Clerk shall distribute all resolutions to the members of the Board of Supervisors and post same to the Warren County website on each Tuesday prior to a Regular Meeting...”*, and

WHEREAS, the Board has agreed to consider a resolution authorizing agreement with the Civil Service Employees Association, Inc. (CSEA), to include a negotiated interim wage increase, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the aforementioned requirement in order to entertain the aforescribed resolution.

Warren County Board of Supervisors

RESOLUTION NO. 368 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

AUTHORIZING AGREEMENT WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. (CSEA), TO INCLUDE A NEGOTIATED INTERIM WAGE INCREASE

WHEREAS, pursuant to Resolution No. 231 of 2021, the Chair of the Board of Supervisors was authorized to execute an agreement on behalf of the County of Warren with the CSEA, establishing the terms and conditions of employment and compensation of employees of the Warren County chapter of the Civil Service Employees Association, Inc. (CSEA), for a term commencing July 1, 2020 and terminating December 31, 2023, and

WHEREAS, the Personnel, Administration & Higher Education Committee has approved a request to execute a memorandum of agreement with the Civil Service Employees Association, Inc. (CSEA) to incorporate an interim wage increase of \$2.75 per hour effective August 1, 2022 for all CSEA members, as outlined in the attached "Schedule A", now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a memorandum of agreement on behalf of the County of Warren with the Civil Service Employees Association, Inc. (CSEA) in accordance with the preambles of this resolution and as outlined in the attached "Schedule A".

SCHEDULE A

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is made on July 6, 2022 by and between WARREN COUNTY ("County") and CSEA ("CSEA") as follows:

WHEREAS, the County and CSEA have entered into a Collective Bargaining Agreement for the period of January 1, 2020 through December 31, 2023; and

WHEREAS, CSEA had requested the parties to negotiate an interim wage increase; and

WHEREAS, CSEA and the County desire to implement a wage increase effective August 1, 2022.

NOW, THEREFORE, the parties agree as follows:

1. Effective August 1, 2022, the wage schedules for 2022 will be increased by \$2.75 per hour, which amount will then be used to calculate the 2.5% increase to the 2023 wage rates for steps entry through 10. The annualized increase will therefore be \$5,720.
2. The parties agree that this Memorandum of Agreement is subject to the ratification by the CSEA bargaining unit and the Warren County Board of Supervisors.

CSEA

By: /s/ Chris Connell
/s/ Diane Selchick

WARREN COUNTY

By: /s/ J. Lawrence Paltrowitz, Neg.

Warren County Board of Supervisors

RESOLUTION NO. 369 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN AND THOMAS

**WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT
THAT ALL RESOLUTIONS BE DISTRIBUTED TO THE BOARD NO LATER THAN THE
TUESDAY BEFORE THE BOARD MEETING IN ORDER TO ENTERTAIN
A RESOLUTION APPROVING THE RECOMMENDATIONS
OF THE REALLOCATION COMMITTEE**

WHEREAS, by Resolution No. 68 of 2022, the Board of Supervisors adopted the Rules of the Board, Section B(3) of which indicates that *“The Clerk shall distribute all resolutions to the members of the Board of Supervisors and post same to the Warren County website on each Tuesday prior to a Regular Meeting...”*, and

WHEREAS, the Board has agreed to consider a resolution approving the recommendations of the Reallocation Committee, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the aforementioned requirement in order to entertain the aforescribed resolution.

Warren County Board of Supervisors

RESOLUTION NO. 370 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

APPROVING THE RECOMMENDATIONS OF THE REALLOCATION COMMITTEE

WHEREAS, the Reallocation Committee has reviewed requests for changes to grade allocations for certain titles as set forth in the current Civil Service Employees Association (CSEA) contract, and

WHEREAS, the Reallocation Committee has submitted their recommendations for grade adjustments to the Personnel, Administration & Higher Education Committee for implementation on August 1, 2022, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the recommendations of the Reallocation Committee as outlined on the attached Schedule "A" to become effective on August 1, 2022.

SCHEDULE A

REALLOCATION COMMITTEE RECOMMENDATIONS AUGUST 2022

Position Title	Employee Type	Current Grade	Current Step	Hourly Rate	Proposed Grade	Proposed Step	Hourly Rate w/ \$2.75
CHN #27	Full Time	20.1	19	\$32.3025	21.1	19	\$ 35.7644
CHN #9	Full Time	20	29	\$32.0621	21	29	\$ 35.5240
Nurse Technician #3	Full Time	11	05	\$23.2671	12	05	\$ 26.3739
PHN #1	Full Time	21.1	05	\$31.5243	22.1	05	\$ 35.1131
PHN #10	Full Time	21	08	\$30.8032	22	08	\$ 34.3920
PHN #15	Full Time	21.2	13	\$33.4952	22.2	13	\$ 37.1152
PHN #38	Full Time	21	10	\$32.0529	22	10	\$ 35.6729
CHN #19	Less than Half	20	30	\$32.3025	21	30	\$ 35.7644
CHN - Per Diem	Per Diem	20	18	\$31.5813	21	18	\$ 35.0432
CHN - Per Diem	Per Diem	20	18	\$31.5813	21	18	\$ 35.0432
CHN - Per Diem	Per Diem	20	05	\$30.0748	21	05	\$ 33.5532
Nurse Tech - Per Diem	Per Diem	11	30	\$25.5987	12	30	\$ 28.6993
PHN - Per Diem	Per Diem	21.1	30	\$33.7355	22.1	30	\$ 37.3558
PHN - Per Diem	Per Diem	21	10	\$32.0529	22	10	\$ 35.6729
PHN - Per Diem	Per Diem	21	22	\$32.5336	22	22	\$ 36.1538
PHN - Per Diem	Per Diem	21	00	\$26.4761	22	00	\$ 29.9568
RPN - Per Diem	Per Diem	19	05	\$28.8523	20	05	\$ 32.8248
RPN - Per Diem	Per Diem	19	05	\$28.8523	20	05	\$ 32.8248
RPN - Per Diem	Per Diem	19	05	\$28.8523	20	05	\$ 32.8248
RPN - Per Diem	Per Diem	19	05	\$28.8523	20	05	\$ 32.8248
RPN - Per Diem	Per Diem	19.1	08	\$29.5734	20.1	08	\$ 33.5460
RPN II Per Diem	Per Diem	20.1	11	\$32.0621	21.1	11	\$ 35.5240
RPN II Per Diem	Per Diem	20	05	\$30.0748	21	05	\$ 33.5532

*Effective August 1, 2022 there shall be a new Grade 22, the hourly wage of which shall be calculated by increasing the pre-August 1, 2022 hourly wage of Grade 21 by \$2.75 and then further increasing that hourly wage by 2.5% for steps entry through 10.

Warren County Board of Supervisors

RESOLUTION NO. 371 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRUNO AND STROUGH

WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE APPROVED THROUGH THE ESTABLISHED COMMITTEE STRUCTURE IN ADVANCE OF A BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS

WHEREAS, by Resolution No. 68 of 2022, the Board of Supervisors adopted the Rules of the Board, Section A(5) of which indicates that all resolutions must be approved through the established Committee structure in advance of a Board Meeting, and

WHEREAS, the Board has agreed to consider a resolution appointing the Democratic Commissioner of Elections, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the requirements that all resolutions be approved through the established Committee structure in advance of a Board meeting in order to entertain the aforementioned resolution.

Warren County Board of Supervisors

RESOLUTION NO. 372 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER AND DRISCOLL

APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS

WHEREAS, the term of office of the Democratic Commissioner of Elections expires on December 31, 2022, and the Chairperson of the Democratic Party has duly filed a certificate of party recommendations with the Clerk of the Board of Supervisors recommending Elizabeth McLaughlin as Democratic Commissioner of Elections, and

WHEREAS, the Board of Supervisors has determined that Commissioners of Elections shall serve a term of four (4) years, now, therefore, be it

RESOLVED, that Elizabeth McLaughlin is hereby appointed Commissioner of Elections representing the Democratic Party, for a term of four (4) years commencing January 1, 2023 and terminating December 31, 2026.

Warren County Board of Supervisors

RESOLUTION NO. 373 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER AND RUNYON

WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE APPROVED THROUGH THE ESTABLISHED COMMITTEE STRUCTURE IN ADVANCE OF A BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS

WHEREAS, by Resolution No. 68 of 2022, the Board of Supervisors adopted the Rules of the Board, Section A(5) of which indicates that all resolutions must be approved through the established Committee structure in advance of a Board Meeting, and

WHEREAS, the Board has agreed to consider a resolution appointing the Republican Commissioner of Elections, now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the requirements that all resolutions be approved through the established Committee structure in advance of a Board meeting in order to entertain the aforementioned resolution.

Warren County Board of Supervisors

RESOLUTION NO. 374 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS AND RUNYON

APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS

WHEREAS, the term of office of the Republican Commissioner of Elections expires on December 31, 2022, and the Chairperson of the Republican Party has duly filed a certificate of party recommendations with the Clerk of the Board of Supervisors recommending William VanNess as Republican Commissioner of Elections, and

WHEREAS, the Board of Supervisors has determined that Commissioners of Elections shall serve a term of four (4) years, now, therefore, be it

RESOLVED, that William VanNess is hereby appointed Commissioner of Elections representing the Republican Party, for a term of four (4) years commencing January 1, 2023 and terminating December 31, 2026.

Warren County Board of Supervisors

RESOLUTION No. 375 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS WILD AND LEGGETT

WAIVING THE STANDING RULE OF THE BOARD RELATING TO THE REQUIREMENT THAT ALL RESOLUTIONS BE APPROVED THROUGH THE ESTABLISHED COMMITTEE STRUCTURE IN ADVANCE OF A BOARD MEETING IN ORDER TO ENTERTAIN A RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH INVASIVE SOLUTIONS DIVE COMPANY, LLC FOR SCHROON LAKE AQUATIC INVASIVE SPECIES CONTROL PROGRAM - PLANT MANAGEMENT (WC 41-22)

WHEREAS, by Resolution No. 68 of 2022, the Board of Supervisors adopted the Rules of the Board, Section A(5) of which indicates that all resolutions must be approved through the established Committee structure in advance of a Board Meeting, and

WHEREAS, the Board has agreed to consider a resolution accepting proposal and authorizing agreement with Invasive Solutions Dive Company, LLC for Schroon Lake Aquatic Invasive Species Control Program - Plant Management (WC 41-22), now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby waive the Standing Rule of the Board relating to the requirements that all resolutions be approved through the established Committee structure in advance of a Board meeting in order to entertain the aforementioned resolution.

Warren County Board of Supervisors

RESOLUTION NO. 376 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS FRASIER AND WILD

ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH INVASIVE SOLUTIONS DIVE COMPANY, LLC FOR SCHROON LAKE AQUATIC INVASIVE SPECIES CONTROL PROGRAM - PLANT MANAGEMENT (WC 41-22)

WHEREAS, the Purchasing Agent requested proposals for Schroon Lake Aquatic Invasive Species Control Program - Plant Management (WC 41-22), and

WHEREAS, proposals were opened on July 12, 2022 and the County Planner has recommended that Warren County award the agreement to the sole proposer, Invasive Solutions Dive Company, LLC located at P.O. Box 179, Bolton Landing, New York 12814, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify Invasive Solutions Dive Company, LLC located at P.O. Box 179, Bolton Landing, New York 12814 of the acceptance of its proposal, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with Invasive Solutions Dive Company, LLC, in an amount not to exceed Seven Thousand Four Hundred Eighty Dollars (\$7,480) per week, for Schroon Lake Aquatic Invasive Species Control Program - Plant Management, pursuant to the terms and provisions of the bid documents and proposal (WC 41-22), for a term commencing upon execution by both parties and terminating December 31, 2022, in an amount not to exceed Twenty-Nine Thousand Nine Hundred Twenty Dollars (\$29,920), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall covered by the 2018 Local Waterfront Revitalization Plan grant funding.